SENATE FACT FINDING COMMITTEE

ON PUBLIC HEALTH AND SAFETY

SUBJECT -- BARBER COLLEGES [hearing]

Room 115

State Building

Los Angeles, California

June 27, 1960

BEFORE:

SEN. JOHN F. THOMPSON, Chairman

SEN. WALTER W. STIERN, Vice-Chairman

SEN. WAVERLY JACK SLATTERY, Member

SEN. NATHAN F. COOMBS, Member

ROBERT L. DAVIS, Executive Secretary

V:jlm

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LOS ANGELES, CALIFORNIA, MONDAY, JUNE 27, 1960, 10:00 A.M.

THE CHAIRMAN: The Committee will be in order. This is the fact finding committee on public health and safety. We are meeting here today to study the problems of the barber colleges under Senate Resolution 185 introduced by Senator Stiern.

I will introduce the members of the Committee. To my far right is Senator Slattery who hails from Mendocino and Lake Counties. Next to him is the Vice-Chairman of the Committee, Senator Stiern, who represents the great area of Kern County. Then we have Senator Coombs representing Napa County.

Fact finding committees, and there are several of them in the Senate, are set up to hear all sides of the various problems that appear before this Legislature. You can be sure that we hear all of these witnesses without preference. Our job is to ascertain the facts that will be useful to the Legislature when we reconvene next January.

I believe that is enough of an introduction. First of all, we have our agenda and I believe those interested have been supplied with the agenda. There are copies at the press table if anyone should wish to have one. All of the witnesses will be sworn in. I believe that is the procedure that is used in most of these committees and will be followed today.

The first witness on our agenda is Mr. Merrill W. Francis, who is counsel for the California State Association of Journeymen Barbers. Mr. Francis.

MR. FRANCIS: Thank you, Mr. Chairman.

THE CHAIRMAN: Will you raise your hand and be sworn.

MERRILL W. FRANCIS,

being first duly sworn, testified as follows:

MR. FRANCIS: Mr. Chairman, with your permission I will remain here during this portion of the testimony before your Committee and call on the people who will testify for the Association, the owners and representatives of the Association and students. That is all that I have to present at this moment.

THE CHAIRMAN: That will be fine. Go right ahead and make your presentation as you wish.

MR. FRANCIS: The first testimony will be given by Mr. Anthony Agrillo, Secretary-Treasurer of the California Barbers, Beauticians, and Cosmetologists Association, and its legislative advocate who has been very close to this problem for a long time.

ANTHONY AGRILLO,

being first duly sworn, testified as follows:

THE CHAIRMAN: You may go ahead.

THE WITNESS: Mr. Chairman, members of this Committee,

as Mr. Merrill has introduced me, I am Secretary-Treasurer of the California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs and proprietors, also legislative advocate for the State Association.

I do not have any written statements this morning to offer to the Committee. However, I thought I would make some general remarks pertaining to the barber colleges here in California. At a later time this morning we have two written statements prepared which will be offered by Alvin L. Holt that will be read to the Committee, which will give facts -- and I believe he has additional copies of same -- and also another written statement by another one of our international representatives, Premo Valle.

First of all, Mr. Chairman, I suppose that there will be quite a few to be heard this morning so I don't want to monopolize any more time than I have to. I would like to bring the pertinent points before this Committee to help us in making -- or help us -- and I would like to ask, if I make any mistakes before this Committee, that the Committee will please excuse me because this is the very first time that I have appeared before a Senate investigating committee.

THE CHAIRMAN: You feel perfectly free to make your presentation as you desire.

THE WITNESS: Thank you, Mr. Chairman.

First of all, the general statements, I would like to try to show this Committee the differences in the operation of barber colleges from the very start of our barber law in 1927 to the present time operation of our barber law today.

I would like to start out by stating to this Committee that in 1927 when our barber law became effective in the State of California we had nine barber colleges. Today we have 25 barber colleges and I understand that there is several more that have made application for opening new barber colleges.

I believe that if something is not done very soon that our barber industry in California will just be ruined. It is absolutely in bad condition today and I can speak quite a bit about our particular area where I reside in Santa Clara County and I would like to bring up to this Committee the operation of that barber college in that area.

I am sure that other members who will speak here this morning, or today, will relate the operation of the 24 barber colleges in this State of California. They will also offer pictures so that the Committee may see just exactly how these barber colleges are operating in California. We feel that these barber colleges actually are not operating as barber colleges should be operated, but rather are operating in competition to our legitimate

1 barber shops here in California.

2 I would like to show this Committee a few things. I
3 don't have a particular agenda here to follow, but I
4 happened to pick up a program here, official program,
5 rodeo program put on every year in Santa Clara County. It
6 is a pretty big rodeo and quite a bit of advertisement in
7 here and I would like to point out to this Committee one
8 advertisement which appears here.

9 I will turn this over to the Committee. I would like
10 to read it to you. It says: "It's new in San Jose.
11 Moler Barber Shop. Hair cut 65 cents, shave 25 cents."

12 It gives the telephone number and the address, 41
13 West San Francisco.

14 I bring this to the attention of the Committee. I
15 believe that the barber colleges have overstepped their
16 boundary. They are even calling them barber shops now.

17 Now, in the past operation of the Moler Barber
18 College in San Jose, they have passed out book matches.
19 I went in last week to try to obtain some so I could show
20 them to the Committee but I was informed by the instructors
21 at that school that they had stopped putting out those book
22 matches and on these book matches which were circulated to
23 the business houses and in and around San Jose, and were
24 given to the customers that appeared in the barber college,
25 and the book matches stated "65 cents for hair cuts, 25
26 cents for shaves."

May I turn this over to the Committee.

MR. DAVIS: Yes.

THE WITNESS: Every day in the San Jose Mercury Herald --

THE CHAIRMAN: That will be marked Exhibit A.

THE WITNESS: Incidentally, I would like to point out to the Committee that magazine, I thought it was this years's but I have found out it was a '58 issue, so I wanted to be sure and bring that out.

This last issue of the magazine says "College" again.

THE CHAIRMAN: That must be a pretty good rodeo. I see Senator Jack Thompson has an ad.

MR. FRANCIS: The page number of that advertisement?

THE WITNESS: Page 19. I also would like to point out to this Committee that in the San Jose Mercury Herald they have a daily ad in there which reads "All barber services" -- it is in big letters -- "All barbers" and "School prices" if you will notice are in big letters. I have a few of these clippings which I will leave with the Committee.

I would like to read the ad. It says: "All barbers" in big letters and small print "Services done by students" and then again "Moler Barber College". Then it says "Open at 7:00 a.m.," and "School prices" again in big letters.

Now, we believe that it is unnecessary for the schools

to be advertising school prices if schools are intended to operate as teaching of the barber trade and not in competition with legitimate barbers in that area and the same applies also to the other colleges in California to my knowledge which you will hear testimony a little bit later on.

MR. FRANCIS: Those are advertisements from the San Jose Daily Herald?

THE WITNESS: San Jose Mercury Herald. Again you will have other pictures besides this picture. I happened to be in San Diego approximately two years ago attending a State meeting and in walking down the streets of San Diego I ran into a regular garbage collector's can here with an advertisement on it stating "Learn barbering. Enroll now. Associated Barber College. Oldest in San Diego. Carefully supervised barber service to the public at reduced rates. G.I. approved."

There again in my opinion barber colleges are trying to advertise to the public, trying to get the public into these schools for the purpose of filling their cash registers as fast as they can and so far as the teaching of the trade to the students, that is immaterial. The Committee will hear later in the day more testimony.

I have here some communications -- I am not at liberty to bring out names, but I believe the witness is aware of this communication -- but it is between one barber

college operator in California to another barber college operator in Kentucky and as I say I am not at liberty at this time to mention any names, but these two men bring out the points that they feel that the operation of barber colleges not only in California but throughout the nation is run in such a manner, if something is not done real soon that the barbers are not only suffering here in California but throughout the nation, and I think something, I hope will be done with regard to that.

I don't know now whether we in appearing before this Committee, whether it is our point to bring up some recommendations for the 1961 --

THE CHAIRMAN: Mr. Agrillo, we do expect recommendations.

THE WITNESS: Thank you, Mr. Chairman. Again I will make my recommendations and general remarks, but again these two written reports which will be presented by Mr. Alvin L. Holt and Fresno Valle will be circulated later to the Committee and to the press if they so want it.

My general remarks and observations so far as the operation of the barber schools in California, I have jotted here a few points, is the possibility of making an effort to get a health check-up for the students to get into these colleges, because it appears that if any members of the Committee had an opportunity to walk into any of the barber colleges in California and look up and

down those chairs they would find some boys in there that actually would not, in my opinion, belong in the barber business.

I don't like to be a judge and jury of who should be or who should not be a barber, but I think common ordinary sense would show that that is the case and there again it appears that the colleges are not just interested in who is going to operate as future barbers, but again merely in lining their purses.

Also, the possibility that there should be some screening of barbers. Again, of course, this pertains to our State barber law, I think the clearing of a felony before they issue a license would be necessary. We have some women that in learning the trade, it seems like some of the women are coming into the trade for some reason or another. I don't care to elaborate on that, because it would only be hearsay so far as I am concerned, but it seems like there is a lot of horseplay in there, so I would think that maybe before the man is eligible for a California State barber's license that he should be cleared of a felony if it so exists.

I believe there is also a misuse at the present time in the part-time barbering. It appears that a lot of students that come in there have regular jobs. They come in there several hours a day and over a period of time obtain their barber's license and in many cases if they are

successful in obtaining their license they don't work at the trade because they find that they cannot make a living at the trade and so as a result of that they work at some other business, even working in canneries or like at Lockheed, other jobs besides barbers. However, they still have a barber's license.

I believe another factor would be this age. The starting age at the present time, our State barber law says 16-1/2 years of age.

THE CHAIRMAN: How old?

THE WITNESS: 16-1/2 years of age. I believe that is too young an age to start learning any trade, let alone the barber trade. That is what our State law reads at the present time, it is 16-1/2 years and, of course, there is no age limit.

I have seen applicants or students in these schools that are 60 years old or so and it is pretty hard, I would say, for any man of 60 years to not only learn the barber trade but learn any trade. He should be thinking about other things besides barbering. So again in general if we could have, say, a starting age of 18 or probably a maximum age of 35, I think that that might be of some help.

Of course, as I pointed out about this book match advertisement thing, that it is pretty evident that they want to get the trade in there and so forth and are not interested in students again because here just as late as

1 last week I happened to be in a barber shop in East San
2 Jose and I was in there trying to locate the shop owner.
3 He had an apprentice in there and a man came in for a
4 shave.

5 Now, mind you this apprentice had been operating under
6 an apprentice's license for better than a year. In fact,
7 he was about ready to take his examination as a journey-
8 man and by gosh this man came in and asked for a shave and
9 the boy did not know how to shave him, so help me God.
10 He came in and lathered that fellow up, just patted the
11 lather on his face and put a hot towel on him and then
12 took some more lather and patted on his face again, put
13 another hot towel on him and he took his razor and
14 stropped it and put the razor on that man's face and I
15 thought that man was going to jump out of the chair.

16 He said "Are you a barber?"

17 He said "I am." But there he was, a barber, and
18 didn't know how to handle a razor. Now, a man coming out
19 of school certainly ought to know how to handle a razor.

20 I would like to again now, in general statements,
21 show the difference between the operations of the barber
22 colleges prior to 1927 when the State barber law was
23 enacted here in California and the present operations of
24 barber colleges. I served my apprenticeship under my
25 father because he was a barber before me. I got the
26 fundamentals of learning the trade under my father's

direction. However, for practical purposes I was sent to San Francisco to a barber college and spent two or three weeks there just to get a little practical experience and then I was shifted on my own to work in some cheap barber shops in order to get further experience, in order to be able to work in what you would call a standard shop today.

Now, the students, at that time the price was 10 or 15 cents for a hair cut. The location of the barber colleges was generally located in skid row and the barbers, whatever money they took in, got 20 or 30 or 40 per cent.

Today you find most barber colleges located right downtown, not on skid row, and they, as I say, are pointed out, or are advertising their prices. They have got these fancy flash lights on these barber poles that flicker there to attract attention like some of these substandard barber shops that are operating in California.

So we certainly hope that we might be able to get some help after I point out to the Committee some of the evils that exist. I could take more time, Mr. Chairman, and point out many things, but I don't feel that I should monopolize the time here, if possible later today if there is any more time. Probably our attorney here, Mr. Francis, will sum it up and would want to call me back for questioning.

THE CHAIRMAN: You will be available?

THE WITNESS: I will be available, so I would like to

1 stop.

2 THE CHAIRMAN: We might have some questions at the
3 present time. I would like to ask one right now. How
4 many years were you a journeyman barber?

5 A How many years was I a journeyman barber?

6 Q Yes.

7 A Or am?

8 Q Well, no. You are not practicing now?

9 A Well, I still maintain my license. I am not
10 practicing at the chair now but I have been an active
11 barber and I count it up to the present time. Actually 33
12 years.

13 Q I just wanted to bring that to the Committee's
14 attention. Of course, you mentioned also that the
15 colleges are not in skid row. Of course, in San Jose,
16 that would rather be impossible to put them on skid row
17 because we do not recognize any such district in our city.

18 A No, we have a clean city. Incidentally, before
19 I leave, I would like to bring out one very important
20 point -- when you don't write something down here and just
21 rely on your memory sometimes you forget and it is best to
22 jot the notes down and that is why we are able to proceed
23 in a better fashion -- but I would like to point this out
24 so far as the operation of the one barber college in Santa
25 Clara County. They are moving now to a larger location on
26 Market Street. I don't know how many chairs, possibly 40

1 chairs or more.

2 The State Legislature, or law, says no more barber
3 colleges unless the need is there and so forth, but the
4 law doesn't say that a college can't expand. It is just
5 the same as though you open up another barber college.

6 Q Who would make that determination?

7 A Well, I believe that the Board would make that
8 determination. However, I don't believe that there is any-
9 thing written into the law on that point.

10 I see that there is representatives here from the
11 Board: Mr. Cramp, the Secretary of the Board, and Mr.
12 Luckey from the State Barber Board.

13 Q However, we will ascertain all of those points.

14 A I have tried to read the section here pertaining
15 to barber colleges and I don't find anything in there that
16 says anything about the particular case I just mentioned.
17 In other words, it appears that they have one barber
18 college there now but they are moving and it is going to
19 be enlarged. It is just the same to us as though they
20 would be opening up a new barber college and probably the
21 same thing applies to other colleges here in California.

22 Q How many people in the State of California make
23 their livelihood in the barbering profession?

24 A I read the State barber report here. They have
25 19,000 barbers registered here. I have the report. I gave
26 it to my friend here. Here it is right here. 19,103

1 barbers in 1959, and 10,656 barber shops. This is 1958.

2 Q How many barber shops?

3 A 10,656. That is the '58-'59 report.

4 THE CHAIRMAN: Senator Stiern?

5 THE WITNESS: I beg your pardon, that does not

6 include the apprentices. There is another approximately

7 5,000. I almost know this by heart. There is approxi-

8 mately 5,000 apprentices at the present time.

9 Incidentally, that is very serious, 5,916 apprentices.

10 That is another very serious thing that we are going to be

11 confronted with now.

12 We have these poor students that come into the

13 college and they spend their good money there and fees

14 for tuition, 300 or more, whatever it is.

15 Now, they get this money, possibly from the G.I. or

16 the County Welfare or other State agencies that the

17 government puts out good money for. We get these poor

18 students that come out of school and we have got no job

19 for them, no place for them, so as a result they have to

20 quit or go into other types of work.

21 They may have an apprentice license and they are out

22 in the back garage there cutting the neighbor's hair.

23 Between the barber colleges and the back yard barbers the

24 first thing you know we will have to seek another industry.

25 So we are in a very, very bad serious shape here in

26 California. I do hope and trust and sincerely hope that

this Committee after hearing all the testimony that is offered here will be able to give us some help.

THE CHAIRMAN: Thank you. Now, I think the other members, perhaps our Vice-Chairman, Senator Stiern.

SENATOR STIERN: May I ask a question, Mr. Agrillo. Can you give us any information on how a survey is made in a community before a barber college is allowed to be established? For example, how do you know whether an area can saturate the number of barbers turned out or not? Is any ground work done on this by anyone, by your Association or by the Board to your knowledge?

A No, Senator Stiern, to my knowledge -- however, I believe the Board can answer that a whole lot better than I can. I don't believe that there has been any survey made in the County because at the last legislative session I believe the State barber law was changed to the effect that if any new barber college made an application that they would have to show that there would be a shortage of barbers, but to my knowledge there has been no survey made. If there has been any surveys made, it is made by the prospective college intending to go into that area.

SENATOR STIERN: Thank you.

THE CHAIRMAN: Senator Slattery.

SENATOR SLATTERY: Mr. Agrillo, you mentioned the fact, I gather you thought the qualifications that were set up for students entering barber college were not

1 adequate. One was the age which you thought should be
2 changed and as I recall also as to a conviction for a
3 felony. Do you have any other recommendations as to
4 qualifications?
5 A Yes, Senator. We do have other recommendations
6 and again, as I say, my remarks were made in general here
7 and I did not come up with any written statements. I hope
8 and trust, and I believe it was my understanding that we
9 will probably have other hearings besides this one in
10 Southern California.
11 THE CHAIRMAN: Yes. If you will pardon me, Senator
12 Slattery. Will you folks make a general recommendation to
13 us?
14 A Yes.
15 Q I mean have your organization the State Associa-
16 tion of Journeyman Barbers.
17 A Yes, we will. We have, as I say, they will be
18 read here and there will be a copy presented to the
19 Committee.
20 THE CHAIRMAN: Does that complete your questioning?
21 SENATOR SLATTERY: Yes.
22 THE CHAIRMAN: Do you have any further questions?
23 SENATOR SLATTERY: No.
24 THE CHAIRMAN: Senator Coombs?
25 SENATOR COOMBS: Yes.
26 THE CHAIRMAN: Do you have a question?
SENATOR COOMBS: I don't need a hair cut this morning.

THE CHAIRMAN: You don't want to get trimmed.

THE WITNESS: Please be assured, members of this Committee, we are not trying to give the barber colleges a hair cut either. We are very proud to have the better operating barber colleges, but we do like to have some of the evils that now exist corrected.

THE CHAIRMAN: Mr. Davis, do you have any questions?

MR. DAVIS: No. Yes, I do have one question here. Mr. Agrillo, I was wondering about this question of age. You were talking about a 60-year-old person going into barber college. I know that the State has a vocational rehabilitation program and so far as the San Jose office, I know that they have been developing a number of students to go to the barber college and learn the trade and become barbers and your recommendation runs smack into their program. I wondered if you had any thoughts along that line.

A Yes, I do, Mr. Davis. I have had the opportunity to talk to Mert Martano. He worked in the Welfare Department. There is no connection there with rehabilitation, but the same difference would apply there. That is what I tried to show this Committee. As soon as the Welfare Department placed this girl, or woman, in school, I don't know how much it cost the County, but it must have cost them a pretty sum. The money was spent. She got a license and she couldn't get a job, but she still holds

the license. Now, maybe she will take the woman's department in the back yard and do some hair cutting there. I don't know.

So I think those things should be studied both from the advantage of the student who is learning, whereby they can get into the business and make a living, so to speak, and we feel that if a person gets into the trade over the age limit, if it is rehabilitation they are not going to be able to get a job in a shop, so the only other alternative that they may have would be possibly to open up a little hole in the wall and compete with the barber college.

So it is a very bad situation that we have here in California.

MR. DAVIS: Thank you.

THE CHAIRMAN: Thank you.

SENATOR STIERN: I wonder if this might not be a point, because of the statements of this witness, to read something into the record which pertains to what he states, for our own Committee's record.

THE CHAIRMAN: You go ahead.

SENATOR STIERN: Preceding this meeting I asked some questions of Mr. Cramp of the Board, who is with the State Board of Barber Examiners, and one question I posed was this: "Are students screened in any way as to good moral character, good health, physical or mental handicaps?"

The answer from his office states "The present law

requires only that an applicant for enrollment in barber college must be at least 16-1/2 years of age and must show a minimum of 9th grade education. No provision is made for further screening."

I thought we should put that in at this point.

MR. FRANCIS: The next witness for the Association will be Alvin L. Holt, Legislative Advocate for the Association, who also has been working closely and for a long time on this problem. Mr. Holt has a prepared statement and if you would like copies may be distributed. Mr. Holt.

THE CHAIRMAN: Mr. Holt, will you be sworn.

ALVIN L. HOLT,

being first duly sworn, testified as follows:

THE WITNESS: Mr. Chairman and Members of the Committee: I appreciate this opportunity. I have devoted a number of years in Sacramento during the regular sessions and I haven't been quite as active as I used to be. I appreciate this opportunity to speak briefly on this important subject.

I would like to start with this written statement and perhaps save the reporter a little difficulty there, because we have sufficient copies for members of the Committee and the reporter. I will read this statement.

SENATOR COOMBS: This is the statement, Mr. Chairman?

THE CHAIRMAN: Yes.

SENATOR COOMBS: Why don't you just offer it in the record, if you have it there.

THE WITNESS: For the benefit of the opposition and other people concerned, Mr. Chairman, I prefer to read it.

THE CHAIRMAN: I believe, Senator Coombs, it is double spaced and it won't take long.

THE WITNESS: About eight minutes.

"The position of the California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs, and Proprietors should not be misunderstood.

"The Association sponsored the enactment of the California Barber Law in 1927 which provided for Barber Schools to prepare candidates for the vocation. We support schools dedicated to high vocational training and standards. We favor Barber Schools that are zealous in the protection of the health and welfare of the public. We encourage Barber Schools operated as legitimate educational institutions.

"Current practices of many Barber Schools compel criticism however. Numerous Barber Schools are totally unable or unwilling to preserve and improve the high vocational standards set by the legislature and traditional to the profession.

Present Barber School practices are increasingly threatening to the public health. Many Barber Schools are run strictly as businesses, victimizing alike the students, the Barbering profession and the public. It is with these abuses of the legitimate function of Barber Schools that the Association is deeply concerned. These evils are the subject of this statement.

"The California Legislature has fostered high standards for Barbers and has recognized the close relationship between such high standards and the health and welfare of the public. These high standards and public interests are seriously threatened by current practices of many Barber Schools.

"The standards of the barbering vocation as provided by California law and as practiced by the profession over the years are honorable and demanding.

"1. May I quote from Governor Brown's message to the Barbers of California. 'California's economy is surging ahead, even faster than its population. You and other business and professional leaders of this State, are responsible in great measure for this marvelous growth. Because of your effort and your high standard of business and professional

conduct, California is proving a leader in quality as well as quantity.'

"2. Consistent with Governor Brown's appraisal of the profession, the California Barber Law comprehensively defines the practice of barbering in Section 6520 of the Business and Professions Code as embracing 'any one of or any combination of the following practices for hire or reward:

"a. Shaving or cutting the hair.

"b. Giving facial or scalp treatments with oil, hand or mechanical appliances.

"c. Singeing, shampooing, arranging, dressing, curling, waving or dyeing the hair or applying hair tonics . . . . .

"d. Applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck.'

"3. Recognizing the need for high professional standards, the Legislature of California has also set forth a course of instruction for Barber Schools as follows. This course shall include the following subjects: Scientific fundamentals of barbering; hygiene; histology of the hair and skin; structure of the head, face and neck; elementary chemistry relating to sterilization and antiseptics; massaging and manipulating the muscles of the scalp,

face and neck; haircutting; shaving; and arranging dressing, coloring, bleaching, and tinting of the hair.

"4. Corellative with the above expressions of administrative and legislative intent, the Legislature has also recognized in positive terms the important effect of the barbering coation upon the health, comfort, and well-being of the public. Section 6551, paragraph 3 of the Business and Professions Code provides that the transmission of disease - the personal touch of the operator and the patron - requires regulation and protection for the public.

"Current methods of operation of the Barber Schools negate the Legislature's concern with the high standards and imperil the interests of the public.

"1. The educational requirement for enrolling in a Barber School is only the ninth grade, as provided in Section 6546.5 of the Business and Professions Code. Such a low age requisite is insufficient to insure students that are capable of grasping the above enumerated subjects with any degree of comprehension.

"2. The policy of many California Barber Schools today is one of unrestricted mass enrollments and

inadequate instruction. For example, in 1955, 1,596 students took the Barber examination. In 1958, 1,730 took the examination. In 1959, 2,405 took the examination. The number of students taking the examination thus increased better than 50 per cent between 1955 and 1959. Other witnesses present here today will testify to the shockingly inadequate educational standards of the schools; to the complete victory of quantity over quality.

"3. The health and welfare of the public demands more stringent regulations of Barber School practices. The present trends of increased quantity and inferior quality threaten to lead us down the road to the old days of the free spread of: So-called barber's itch, impetigo, ring worm, and other diseases and infections of the hair, scalp, ears, neck and face. The danger signals are evident. The time for prudent corrective legislation is here.

"Many barber schools are run strictly as businesses dedicated solely to the dollar, rather than as the educational institutions intended by the California Legislature.

"Proof that these Schools are often run strictly as businesses is found at every hand.

"1. Barber Schools advertise extensively for

1 students and patrons. Advertisements from various
2 media will be presented at the hearings.
3 "2. Some Barber Schools are run as chain store
4 operations with one absentee operator having as
5 many as ten schools at one time.
6 "3. Records of sales and transfers of ownership
7 makes a provocative study. (American Barber
8 Colleges-American Barber Colleges of Los Angeles)
9 (Trusty v. Crosby)
10 "4. Substantial tuition is paid by students. And
11 tens of thousands of dollars are collected from
12 patrons such as the 65-cent charge for haircuts
13 given by students. The well to do are numbered
14 among the regular clients of these cut-rate
15 barber shops. On the other hand, students are
16 paid nothing for their time and labor spent on
17 remunerative work for the owners.
18 "5. A textbook authored by a school owner is
19 extensively used in California. Other good text-
20 books are widely used in private and vocational
21 schools in other states, but not so in California.
22 A discriminatory practice by school operators
23 again designed primarily to line their pockets may
24 exist here.
25 "6. The California Barber School Association
26 maintains a lobby of influence and affluence in

our State Capital. The members of the Legislature should be alert to the conflict of interest between the Barber School owners and the Barbers who work with the tools of the trade.

"7. The statistics given above on the numbers of students taking the Barber examination is another illustration of the sole concern of many Barber School operators with increasing their paid tuitions and staffs of free laborers.

"This unceasing devotion to the dollar by the school operator hurts students, licensed barbers, and the public alike.

"1. Students are victimized in many ways.

"a. After substantial tuitions are paid, hundreds of hours of labor are spent, and great profit is made off the student's labor; increasing numbers of students fail the State examination because of imprudent selection and improper training. For example, those failing the examination in 1955 was 461 or 29 per cent. In 1958, 579 students or 34 per cent failed. In 1959, 962 or 40 per cent failed. These absolute numbers, percentages and trends illustrate the injustices worked on the students.

"b. There are insufficient jobs for those who do pass the examinations.

"c. Students and Barber Shop operators alike have reported the inadequate training of many of those who have passed and been employed. Testimony to this effect will be given by others at this hearing.

"2. Legitimate barbers, many of whom have invested their lives developing their proficiency at their trade, are now faced with direct, increasing and unfair competition from the Barber Schools. The quality of the new licensees is also deleterious to the trade.

"a. The schools are direct and increasing competition with the legitimate shops. The number of schools has increased from nine to twenty-five. New schools have been opened in San Jose, Stockton, Bakersfield, and San Bernardino. New branches have been opened in Los Angeles and San Francisco. These schools are often operating as nothing less than cut-rate barber shops, many remaining open late at night. They line the pockets of their operators with the profits earned by the free labor of the students doing the work. This is obviously unfair and unhealthy competition with established shops.

"b. The inadequate training of many of the students has been alluded to above. Because of

1 the policies of the schools, many new barbers
2 seeking employment are lacking in aptitude, skill
3 and cleanliness.
4 "3. The public pocketbook is also being picked.
5 "a. The policy of the schools is to employ
6 hugh free labor forces without taxable payrolls.
7 Nor do the schools contribute to unemployment,
8 Social Security or Workmen's Compensation funds.
9 "b. Furthermore, tax payers subsidize these
10 schools by paying tuition under G.I. grants.
11 "Possible corrective steps:
12 "There is no single answer to the evils which now
13 exist. Specific legislation must await the
14 gathering of all available facts. It is clear,
15 however, that further control of Barber Schools
16 is required. Dangerous trends and practices now
17 exist. Anticipatory and preventative social
18 regulation is always the most effective in prevent-
19 ing harm to the public. Serious harm is now
20 occurring and may be expected to continue at an
21 accelerated rate unless corrective steps are
22 taken promptly.
23 "It should be brought to the attention of the
24 Legislature that although the students are working
25 for the operators, and filling the pockets of the
26 operators, and are the most oppressed of any group

by present practices, these students cannot join a labor organization. Therefore, the schools are invulnerable to pressure through economic action. Legislation is necessary to correct existing evils.

"The following are specific remedial steps the Committee may wish to consider.

"1. Restrict the number of school enrollees to correlate with the number of new students the trade can absorb.

"2. Confine the school activities to instruction. Restrict practice barbering to students, persons confined in institutions and indigents. If the operators insist on running the schools as businesses, the Legislature might consider the alternative of requiring the schools to pay wages to the students and otherwise conduct their operations as the businesses they are.

"3. A minimum high school education requirement has been suggested by some as a method for putting a more realistic limit to the number of enrollees and providing a higher type of graduate.

"4. A maximum age limit for students may be desirable.

"5. Some quarters have suggested longer periods of training.

"6. Apprenticeships under permit, rather than

licenses renewable for a lifetime, is worth considering.

"7. Stricter and more detailed requirements respecting the education of the students is advisable to insure more able graduates.

"8. Restricting the schools to a five-day week would benefit students and profession.

"9. It may be advisable to incorporate the Barber Schools into public vocational school system to provide greater regulation and insure administration which is interested in education rather than exclusively in profit.

"Conclusion:

"The Association thanks the members of this Committee for your interest in these important problems, for your tolerance, and for your keen desire to be of service to the people of California and to those we have the privilege to represent. We sincerely trust that you will pursue these problems and submit for consideration and favorable action some legislation at the earliest opportunity which will provide higher standards for the field of Barbering and greater protection to the public health and welfare."

The last paragraph I will not read.

Now, then, the balance of that, Mr. Chairman, is the

outline of the contents of the article so it won't be necessary to refer to that.

Now, if I may, Mr. Chairman, present to you some of the material that we have gathered to substantiate our statement about advertising for both students and the public, I would like to submit to the Committee this little booklet of photographs taken of barber schools in San Bernardino, which indicates that there is solicitation of public patronage.

The sign says "Haircuts -- work done by students -- available to the public -- American College -- 593 Third Street -- free parking, 2 hours, ABC Parking Lot."

Now, the rest of these pictures are pretty much the same, we have taken from different angles and at different places which indicate the type of advertising that is done at one of the establishments that we referred to.

THE CHAIRMAN: That will be Exhibit D.

MR. FRANCIS: An album of prints of the American College of San Bernardino.

THE WITNESS: Now, Mr. Chairman, we have secured some pages from various telephone directories in Los Angeles and in surrounding areas and this one that I have here is a glowing example of the type of advertising done in the telephone directory.

It may be difficult to see, but there are two large ads in the Los Angeles telephone book advertising on the

1 top "American Barber Colleges" and then this one "American
2 Barber Colleges of Los Angeles" and for the benefit of the
3 record we will read the contents here.
4 "Become a Barber -- Learn this profitable profession --
5 Never to be unemployed -- Free catalogue on request --
6 Triple-A rating -- General Manager, Professor L. Sherman
7 Trusty -- 27 weeks course and part-time -- Men and women --
8 Day and evening classes -- Terms on all courses -- Approved
9 for qualified veterans -- Members of the National Barber
10 School Association -- American Barber Colleges --
11 Registration office, Room 618, 117 East Colorado, Pasadena --
12 Call collect or write -- Murray 145954 -- " and then
13 "Sycamore 29412, Hemlock 29247, Turner 89261."
14 The second one is a different school, although they
15 both carry the same name "American Barber College" but it
16 is the "American Barber College of Los Angeles" and I would
17 like to read that one. That is all the time I want to take
18 in reading these ads.
19 This ad reads as follows:
20 "Learn barbering now -- Day and evening classes --
21 Six schools to serve you -- Instructors licensed by the
22 State -- Approved by educational institutions -- Free
23 placement and after-graduation services -- Free brochure
24 available upon request -- Terms available -- American
25 Barber College of Los Angeles -- Established over 25
26 years -- One of the largest in the world -- For more

1 information call Madison 93303, 349 South Hill Street,
2 Los Angeles."
3 MR. FRANCIS: Now, we will offer this as E.
4 SENATOR STIERN: May I ask a question?
5 THE CHAIRMAN: Yes.
6 SENATOR STIERN: You mentioned Mr. Trusty's name.
7 Did it say "Professor" or "Proprietor"?
8 A The abbreviation in the book is "P-r-o-f." And
9 I believe that he means professor.
10 MR. DAVIS: It is "P-r-o."
11 THE WITNESS: He happens to have a master of arts
12 degree from Southern California. I think he would be
13 entitled to use that.
14 THE CHAIRMAN: This will be Exhibit E.
15 THE WITNESS: Now, Mr. Chairman, in connection with
16 this ad where they mention free placement --
17 THE CHAIRMAN: Just one second. I believe the record
18 should be corrected, with regard to the title of this
19 advertisement, inasmuch as it is "P-r-o" which could be
20 proprietor or whatever it is.
21 SENATOR STIERN: My only point, Mr. Chairman, was
22 that in all fairness to Mr. Trusty that if it says
23 "P-r-o-p", that does not mean necessarily professor, it
24 could be indicating proprietor, I am not sure, but I think
25 the statement should have the benefit of the doubt until
26 he can testify himself.

MR. FRANCIS: Mr. Holt's interpretation apparently came from this textbook of Mr. Trusty's in which he lists himself as professor.

SENATOR STIERN: I think he read it from the ad out of the telephone book. That is what I was thinking of.

MR. FRANCIS: Yes.

THE WITNESS: Thank you. Now, in connection with the statement made in this advertising about placement service and so forth, I would like to call the attention of the Committee to Section 1649 of the California Labor Code which provides that -- I will have to read it, I guess. It is not too long, this one section:

> "Any person who conducts for gain any trade school or classes of instruction for the teaching in whole or in part any trade, art, science, or occupation requiring special skill, and who for gain or hire furnishes or agrees to furnish in connection therewith facilities or information to pupils and employers of labor whereby the labor or services of any such pupils are engaged to be employed in a trade, art, science or occupation thus taught at stipulated wages or other valuable consideration is subject to the provisions of this chapter."

The point I wanted to make, going to the section just prior to that, it says "Any person or agent" that is

1648 -- "Any person or agent or officer thereof who violates any provision of this chapter is guilty of a misdemeanor, punishable by fine of not less than $25 or more than $250 or imprisonment for a period of not less than 60 days, or both."

The point I bring out is that it is a violation of the law of the State of California for barber schools to operate employment agencies, say, without being licensed by the State of California.

Now, if I may further, I have several pages of telephone directories in many towns. I don't like to take the time of the Committee to go into each one of them, just merely to indicate the extent to which barber schools advertise in the telephone directories of the cities where they operate, and in cities surrounding places where they operate.

MR. FRANCIS: We would like to submit these in a group as Exhibit F.

THE WITNESS: Now, Mr. Chairman and members of the Committee, to substantiate our statement further on the extensive advertising on the part of the schools, we find that in practically every daily paper in the City of Los Angeles and other places, including San Bernardino, including San Diego and in the City of Fresno and perhaps in other places too, which I haven't had occasion to visit, we find ads daily in the newspapers in the classified section, and

here is an example of two, all I want to cite here, then I will turn those over to the Committee.

This ad is about I would say maybe four or five inches single column and it says as follows:

"Kern Barbering, 27 week course, veteran approved, American Barber Colleges, Los Angeles, Pasadena, Long Beach and San Bernardino. For Los Angeles call Madison 93303, 349 South Hill Street, Los Angeles 13, California."

And then a little separation line and then "For San Bernardino, Long Beach, Pasadena, Murray 14594, 117 East Colorado, Pasadena. Free catalogue on request."

That ad alone rather creates some curiosity on my part because there are two different establishments, two different proprietors of the schools that are advertising in one ad.

I cannot just explain why but it does arouse my curiosity in my mind that two individual establishments, two different proprietorships advertise jointly in the Los Angeles example.

MR. FRANCIS: Five examples of ads in the daily classified advertisements of the papers as Exhibit G.

THE WITNESS: Now, Mr. Chairman, we made a statement in our written article about the textbooks used by the barber schools in the State of California and the one that is authorized and prepared by a barber shop owner in this

1 State, and one that is published by the Barbers Inter-
2 national Union.
3 The first one I referred to is called "The Art and
4 Science of Barbering by L. Sherman Trusty, M.A."
5 In the front of the book he has a photograph under his
6 photograph the word "author" in parenthesis and then
7 "Professor L. Sherman Trusty, A.B., M.A.," and goes on to
8 express or to indicate the number of degrees that he has
9 received from the various schools.
10 We find that our organization, which also has an
11 educational department in the City of Indianapolis, Indiana,
12 also has a textbook which is widely used throughout the
13 United States in both vocational and privately-owned
14 schools, but in the State of California the schools that
15 are affiliated with our organization and our educational
16 department are not using our textbook, even though they are
17 under an agreement, a written contract to use our textbook.
18 They don't use that textbook because of what they
19 claim, and what they believe to be true is that there is
20 some prejudice against the book as put out by our
21 educational department, by our International Union, and in
22 preference to using our book, they use the Standardized
23 Textbook of Barbering, or The Art and Science of Barbering
24 by L. Sherman Trusty, a school owner in this State.
25 When I refer to the Standardized Textbook of Barbering,
26 I am referring to another text that I don't have a copy

with me, but that has been used for many, many years. In fact, I think it was first published in 1924 as a common textbook and that is perhaps used more extensively in this State than any other textbook.

However, there is some reason to inquire about why a textbook that is put out by the Barbers International Union educational department is not acceptable in the State of California when it is so widely used in other places.

Now, I am about to conclude, Mr. Chairman, and members of the Committee, but I would like to read a statement that I received from a school owner, a barber school owner in the State of California, and I am not revealing his name because I do not have the permission to reveal his name, but these are six points that he presented to me as recommendations for correction of the situation that exists in the barber schools of this State.

One. Eliminate present setup for apprentice examinations. Issue permit that expires upon completion of apprentice program, thereby forcing apprentice to take an examination for registered barber, thereby opening up additional jobs for graduates.

Two.. Revoke license of schools that are unsanitary, filthy, and not properly staffed with competent instructors.

Three. Press for legislation to force a maximum age limit of 35 years. We now have a minimum of 16 years.

Four. Increase the present 1,240 hours to 1,850 hours

of training within one year. Require a high school education for all applicants. Put the schools on a 5-day week. No maximum for minimum hours.

That came voluntarily from a school owner in the State and I merely submit it to indicate that there is a desire on the part of the school owners themselves to have improvement in the industry.

Now, I think maybe this will not be too pertinent, but I want to call attention to the Committee, the fact that barbering is not as lucrative as people perhaps are led to believe from the advertising that comes from barber schools. This will be my conclusion.

We had a situation a few months ago where there was some talk of increasing the prices for barber services in the community here in Southern California, and the resolution that was presented to that meeting of Local 181 reads as follows:

> "Whereas, it is axiomatic that the hourly income of the barber, both journeyman and shop owner averages an amount exactly equal to the price charged for adult haircuts; and
>
> "Whereas, the present prices charged for barber services in San Fernando Valley and surrounding areas are inadequate to provide a living income comparable to that of semi-skilled and even unskilled workers with far less technical

training and legal requirements than are required of barbers;

"Therefore, be it resolved, that Barbers Local Union 897 A.F.L.-C.I.O., and Employers Guild No. 54 of San Fernando Valley give prompt and serious consideration to the matter of establishing through collective bargaining an increase in prices for barber services with not less than $2 for adult haircuts and a reasonable and equitable schedule for other barber services."

That is merely submitted to indicate that the barbering vocation or trade or profession, whichever you wish to call it, is not so lucrative as would be indicated by the advertising done by the barber school owners.

Thank you, Mr. Chairman. That concludes my presentation.

THE CHAIRMAN: Senator Stiern, do you have any questions you desire to ask?

SENATOR STIERN: No. I will not question this witness.

THE CHAIRMAN: Senator Slattery?

SENATOR SLATTERY: Yes, I have a question, Mr. Chairman.

On Page 5 of your prepared statement, Mr. Holt, you state in your first sentence of the Section A: "Proof that these schools are often run strictly as businesses is found at every hand."

That, of course, is not bad just because they run as

1 businesses. I mean what other alternative do they have?

2 A Well, that is perhaps not too clear, Senator

3 Slattery, but the point we tried to convey there was that

4 they are running strictly as barber shops and not as an

5 educational institution.

6 Q I see. Now, on Page 6 I would like to ask you a

7 couple of questions about some of the statistics that you

8 give along toward the bottom of the page, those dealing

9 with the number failing the examination in 1955 and 1958

10 and '59. Do you have any statistics as to how many of

11 these eventually passed the examination in taking a re-

12 examination? You follow my question there? In other

13 words, 461 flunked the examination in 1955. Undoubtedly

14 many of them take it again and eventually become barbers;

15 isn't that correct?

16 A Yes. That is true, Senator. Unfortunately we

17 just don't have those figures.

18 I made some effort to get to Sacramento and get some

19 more data on this and I just wasn't able to do it and I am

20 sure that those figures could be brought out here.

21 THE CHAIRMAN: The members of the Board might possibly

22 have those figures.

23 THE WITNESS: The Secretary of the Board, yes, or else

24 the Board member who is here. We just don't have them. I

25 am sorry.

26 SENATOR SLATTERY: In that same paragraph you state as

a conclusion that these figures illustrate the injustice worked on the students.

Now, couldn't these figures, that is the increasing number of failures, both absolute and percentagewise each year, couldn't they also illustrate higher standards or tougher examinations? Does it necessarily reflect that it is becoming more unjust to the students?

A Well, Senator, I would be led to make this remark that this is evidence that there is something wrong.

Now, I am not in a position to say that it is because the examinations are getting tougher or the teaching of the students is getting worser. You can put that in quotation marks.

SENATOR SLATTERY: I have no further questions.

THE CHAIRMAN: Senator Coombs.

SENATOR COOMBS: What is the cost of the haircut and shave at the barber colleges?

A We had a statement here made today by Mr. Agrillo of 65 cents for haircuts and I think he said 35 cents for a shave.

MR. DAVIS: 25.

SENATOR COOMBS: In other words, a combination for a dollar.

A That is right, a haircut and a shave, one dollar, not two bits.

THE CHAIRMAN: Thank you, Mr. Holt. You will be here

the balance of the day?

THE WITNESS: Yes.

THE CHAIRMAN: If there are any questions.

THE WITNESS: Yes. Thank you, Mr. Chairman and Committee members.

THE CHAIRMAN: Call your next witness.

MR. FRANCIS: All right. The next witness for the Association is S. J. Olsen, Legislative Advocate of the Association.

S. J. OLSEN,

being first duly sworn, testified as follows:

THE WITNESS: Senator Thompson and members of the Committee, my name is S. J. Olsen, a representative of the State Association in Sacramento as Legislative Advocate. First, I would like to correct a statement that was given to Senator Stiern on the age of 16-1/2 before entering barber college. The age is 16-1/2 before they can be licensed to practice at the chair as an apprentice, but they can go into a barber school at any time in their 15th year -- at a time they should be in a public school or private school getting an education rather than being worked over in a barber chair in a barber college.

SENATOR STIERN: Would you repeat that again for me.

A They have to be 16-1/2 years of age before they can be licensed as an apprentice and work in a shop, but

they can enter the barber school at any time in their 15th year because they have a year to complete their course in the barber college. I think you will find that under the section of licensing. I forget just exactly what section.

Q Under licensing in Article 4, under licensing, Section D says: "Any person is qualified to receive a certificate of registration to practice barbering if he has complied with each of the following --" and D of this says "He has practiced as a registered apprentice a period of 18 months under the immediate personal supervision and employment of a registered barber."

Then farther down in the section, in the next section 6546, where it talks about any person qualified to receive a certificate of registration is a registered apprentice if he completes and complies with each of the following, and B of that says he is at least 16-1/2 years of age.

A That is right. So it is not 16-1/2 in entering the school.

SENATOR COOMBS: I would like to inquire: How much does a course in a barbering college cost?

THE CHAIRMAN: Senator Coombs, we will have the barber college people. They will be here. Now, if you want to ask him that --

SENATOR COOMBS: I don't care who answers the question.

THE WITNESS: I wouldn't know. I think they vary a little bit. I think they have a kind of a fair trade

program amongst themselves.

SENATOR COOMBS: So much per month or so much for the course?

THE CHAIRMAN: I think the schools will be best qualified to give us that information.

THE WITNESS: Then, Mr. Chairman, in 1957 it was that the law was passed by the Legislature to permit no more barber schools that should be opened unless they could show a need for it.

At that time we thought it was a step in the right direction and would show progress, but what we actually done in the Legislature was to create a monopoly for the barber schools that existed.

There is some 25 schools now and I think probably 7 or 8 owners. Instead of limiting the barber schools to the amount of chairs that they had, one student per chair, it is now averaging better than 2, 2-1/2 to 3 students a chair in the barber schools. I can cite the barber school for Alameda and Oakland which has 32 chairs and they have a registration of some 82 people, I think -- no, 73 people. The San Francisco Barber College which opened up with 20 chairs has a registration of 55 students.

As of January 1st, 1959 the enrollment in the barber colleges in the State of California was 1,852 students. It averaged over 2 students per chair and now that they are finding out they have the monopoly, it is like the school

in San Jose where they have so many chairs, they will put in so many more and still run double shifts and create more apprentices.

I can go back and give you two copies of a law, one is the report of the State Board of Barber Examiners in 1929. There was 17,652 licensed barbers. There was 557 licensed apprentices.

As of July 1st of 1959, 30 years later, there was 19,103 barbers, a gain of 1,451, registered apprentices, there was 5,916, compared with 557, which made a gain of 5,449.

The quota is entirely out of proportion and in the 30 years, just averaging a thousand students per year and they have averaged probably more, there would be 30,000 students going through the colleges and you have less than 25,000 licenciates in the State of California.

I think it has brought upon a hardship for inspection. I think the back yard haircutting, to where people go into school and find out they can't make a living, go into their back yards and into their garages and the cases are so many that actually the seven inspectors that they have, or eight, on the State Board, cannot trace them down because if they were to spend all their time on investigation of this type they wouldn't have any time to inspect the barber shops.

I think I should make my presentation short, but I

1 think it goes to show that along the line there are
2 thousands and thousands of students that paid their money
3 to go through barber school and at the end found out that
4 they couldn't make a living in the profession they had
5 chosen.
6 I have had several students -- I happen to be the
7 business representative for some 20 years in Alameda
8 County and had the placement and whereas they were turning
9 70 or 80 students a year at one time -- we had the County
10 organized 98 per cent and our enrollment of apprentices in
11 the organization, the highest it ever attained was 37
12 students, or 37 apprentices and some of these were carry-
13 overs because we have apprentices in Alameda County that
14 have had apprentice licenses for 23 or 24 or 25 years,
15 just never do go ahead and take the State Board examination
16 to get their journeyman's license.
17 So along the line there is lots and lots of students,
18 and their parents have paid out this money and in the end
19 they cannot get a job that will pay them a living wage.
20 I think that will finish my presentation.
21 THE CHAIRMAN: One question, Mr. Olsen: How many
22 barbers come in from other States? What are their require-
23 ments under the California law?
24 A I couldn't tell you how many come in. There is
25 out-of-state barbers, probably seven or eight hundred a
26 year, that do take the examinations. They have to show

that they have barbered two years within five immediately before coming into this State and now it will be a 9th grade education with the passage of this last law.

Q An active license in the other state?

A An active license in the other state, or if the state has no license law they have to prove by affidavit that they had two years of experience.

Q What I am getting at, does that compare with the number that are produced by the schools?

A Actually, no, the schools produce a great deal more. I might also add that we have gone over in the office in Sacramento and I think the licenses lost by revocation and deaths average about 500 a year and the schools are turning out, last year I think was 1,434 students that were licensed and I would say that probably there is an employment place for about 1,500 apprentices total, not what they turn out, but I mean to complete the year and a half and when they get through there might be openings for others, but outside of that the extra people, the 6,000 people that are now apprentices, I would say that probably 1,500 of them are employed.

Q Is the cost of a haircut pretty uniform throughout the State at the present time?

A Well, it is pretty uniform and the hours are pretty uniform. We do have our sore spots, but the barber industry is held down by the type of people that do pass

the State Board that are not finished mechanics and the only thing they have to sell is cheap prices and long hours.

THE CHAIRMAN: Senator Stiern.

SENATOR STIERN: No, I have no questions to ask this witness.

THE CHAIRMAN: Senator Slattery?

SENATOR SLATTERY: No questions.

THE CHAIRMAN: Senator Coombs?

SENATOR COOMBS: No.

THE CHAIRMAN: Thank you very much. Thank you, Mr. Olsen.

MR. FRANCIS: The next witness for the Association is Premo Valle, the international representative and former Secretary of Local 702 at Pomona who has a brief written statement for the Association. Mr. Valle.

PREMO M. VALLE,

being first duly sworn, testified as follows:

THE WITNESS: Mr. Chairman and members of the Committee, I have a written statement here.

"As a representative of the Journeymens' Barbers Union, AFL-CIO, I would like to base my testimony and remarks on the economics involved as related to present methods of operation of the Barber Schools in the State of California, and how they adversely affect the barbering industry. This

1 situation causes deep concern to the barbers in
2 this State because the degradation of the barber-
3 ing industry brought on by the abuses of the
4 schools, has caused a loss in investment in
5 established barber shops, and greatly diminished
6 the prospects of a decent standard of living by
7 those working with the tools of the trade.
8 "Schools by my way of thinking are supposed to be
9 educational institutions. They are primarily
10 licensed to educate and qualify students to enter
11 into the field of barbering so that upon gradua-
12 tion, and after serving apprenticeship, they can
13 feel secure in making a decent livelihood with
14 their chosen trade and with a sense of security
15 for the journeymen and for the employer barber in
16 his business investment. However, the Barber
17 Schools of today are not operating by these stand-
18 ards. Their present operation is that of a sub-
19 standard, cut-rate, barber shops. The proper
20 training of a student is of secondary importance.
21 The high percentage of students who fail the
22 Barber Board examination (40 per cent in fiscal
23 year of '58 and '59) after putting in the necessary
24 time in the schools, is eloquent testimony to this
25 fact. Even the percentage of those who do pass is
26 not a true barometer of a properly trained student.

1 In my experience as a Local Union secretary I would
2 place these students in quality shops to serve their
3 apprenticeship and more than 50 per cent would not
4 last the week out for lack of proper qualification
5 and were sent adrift to eventually give up barber-
6 ing or find themselves in the cut-rate shops from
7 which they seldom graduate.
8 "The primary interest of the Barber Schools today
9 is that of volume service and of the remuneration
10 accrued from these services. Barber Schools today
11 are Big Business operating as chains with a sub-
12 standard operation that is causing havoc in the
13 barbering industry. There is a distinct contra-
14 diction in purpose by present day standards of the
15 schools.
16 "These schools are sending out graduates into a
17 field where economic chaos reigns with the 7-day
18 week and ungodly long hours. They are undermining
19 the very industry that they are training students
20 for and therefore this practice becomes very
21 unethical and questionable, if not downright
22 illegal.
23 "The Barbering Laws in this State are based on
24 health and sanitation for the protection of the
25 health and welfare of the general public. Not to
26 teach the students sound business ethics, high class

workmanship, and rigid compliance with the State Sanitary Codes definitely makes a mockery of our State Laws because the unethical and unskilled barber will have complete disregard of the Sanitary Codes and you will find him washing his hands only when the barber inspector is in his shop.

"Within the communities where schools are located the barbering industry has been adversely affected. For instance in the City of San Bernardino with a population of less than 100,000, as per 1960 census, there is a barber school of approximately 35 chairs. This school with early morning hours and late evening hours has seriously cut into the security and livelihood of the barbers in the community. These barbers that are trying to make a decent and honest living are being economically cut to pieces by the so-called educational establishments that originally trained them for the trade.

"For the protection of the graduates of the schools and the students now enrolled and the prospective student of the future, these abuses of the schools should be curtailed. The schools have an advantage that no shop owner has. They have enrolled students, who have paid a tuition, working for free. They pay no wages, Social Security, Unemployment

1 Insurance, Workmen's Compensation, and have none
2 of the responsibilities of the legitimate shop
3 owner. Their service charge of 65 cents for a
4 haircut is all gravy to them. Whereas the shop
5 owner who has to pay wages and taxes as enumerated
6 above and all other necessary expenses has to make
7 a $2.00 service charge on a haircut to realize a 10
8 cent profit.
9 "I firmly believe that laws should be introduced
10 to protect students and former graduates who have
11 made an investment in time and money. The schools
12 should be made to be bona fide educational
13 institutions. And if not this, place them in the
14 proper category of a barber shop so that we can
15 take the necessary action against them through
16 the channels of the Labor Movement.
17 "I do not believe that volume service is necessary
18 for the proper training of students. Less than
19 one patron per hour is all that is required for
20 this training. Patrons that patronize schools
21 should not be allowed to get merely a haircut.
22 The students should give these patrons the works;
23 shave, shampoo, massage, tinting and other
24 services necessary to qualify. Shaving is fast
25 becoming a lost art with the barber. This is
26 because not enough patrons are willing to buy and

pay for a shave. Adult male customers should be shaved by the student even if there be only a 5:00 o'clock shadow. This service should be free of charge. The patron of a barber school should have no choice in the type of service he desires. He walks freely into a school for service of these students and therefore makes himself available as a human guinea pig to be practiced on by the student. The schools should concentrate on using these patrons as models for the complete training of the student and not make a volume service deal with the haircut that rightfully belongs to the barber.

"I therefore make the following recommendations to eliminate the abuses of the schools:

"1. Eliminate schools in cities of less than 500,000 population or limit chairs to one per 100,000.

"2. Eliminate all service charges -- operate on tuition only.

"3. Aptitude test to be made by an appropriate committee composed of practicing barbers on prospective students before enrollment and for a periodic check by this committee of students while in the school and during apprenticeship training.

"4. 5-day week. Educational institutions observe Saturday and Sunday closing.

"5. Operate school hours as established by local industry.

"6. Control in advertising for students with promises of high earnings.

"7. No advertising for patrons.

"8. No children models for students with less than four months training.

"9. A strict curriculum for the proper training of students in business ethics, workmanship, and strict observance of the Sanitary Codes.

"The students and former graduates should have these protections. We are hopeful that this investigation of Barber Schools by this Senate Interim Committee will make the necessary recommendations to curb the abuses of the schools as herein outlined. At stake is the security and well-being of people who have at great sacrifice qualified themselves to make a livelihood in the barbering trade. At stake also is the breakdown of all sanitary requirements for the protection of the general public that patronize the barber establishments against the many diseases that can be transmitted by those who would disregard the laws because of lack of skill and unethical

practices.

"Respectfully submitted, Premo M. Valle."

THE CHAIRMAN: Mr. Valle, you mention shaving and so on. Isn't shaving almost a lost thing because, say, 30 years ago a man would go in the barber shop and he would have a barber shave him maybe twice a week. Now you shave once, sometimes twice a day and that has brought about the elimination of getting the shave at the barber shop.

A Shaving has been affected to that extent because of that, but also throughout the years shaving has become less and less. The qualifications in the school, and the students have been less proficient and these apprentices have driven a lot of shaves away from the barber shops because they just didn't want to be scraped and if they are going to be scraped in the barber shop they might just as well do it themselves in their own bathrooms. That is what has chased the shaves away from the barber shops, is the lack of knowing how to handle a razor and how to sharpen a razor and how to shave a customer.

Q Are you the operator of a shop at the present time?

A I have a shop.

Q How many shaves are given in your shop a day now?

A Well, there is not too many shaves that are given

in any shops now because when I was working at the chair -- I haven't been for the last several years -- but when I was working at the chair there I used to get quite a few shaves every week, patrons that were steady and who knew when they got in my chair that they could get a shave, and it felt good after getting it and I think that the barbers today, who can qualify to give a good shave, that they have good shaving patronage.

Q You mentioned the elimination of schools in cities of less than 500,000. That would mean about three cities, wouldn't it?

A Just about that.

Q You don't believe that would be carrying it a little bit too far?

A From my way of figuring not because I believe in schools in cities of less than 500,000 -- like you wouldn't want to admit there in San Jose that you have a skid row -- I don't think that in any city under 500,000 that you have a skid row or type of clientele that can take care of the colleges. For instance, in San Bernardino there are 35 chairs and I think that about 20 per cent of the barbering business that is done in San Bernardino County is done in that very school by students.

Q If regulation of that kind, that drastic, was desired, wouldn't it perhaps be better to bring it down to, well, in San Jose have a barber college where they had a

much smaller number of students, wouldn't that serve the purpose instead of forcing people that might want to go to the barber school and be barbers and the good barbers from living away from home somehow?

A I have an alternative there or limit one per 100,000 population there.

THE CHAIRMAN: That is all the questions I have. Senator Stiern?

SENATOR STIERN: I have no questions to ask him.

THE CHAIRMAN: Senator Slattery, do you have any questions?

SENATOR SLATTERY: I would like to ask one question of Mr. Valle: In comparing barber schools with other trade schools -- and I assume there are some like welding, I don't know what else, but say welding, that is one that I can think of, which is a trade school, do these others operate somewhat similarly? Do they do free work, I mean free for the students, but charged for by the operators of the school? I mean is this barber business unique with the barber schools?

A I think it is pretty unique in this State here and a good many states. I think that many of the other trades operate under apprenticeship standards, in cooperation with the trade unions, and they take the responsibility themselves of qualifying these apprentices to become qualified journeymen and I don't believe that they work for

free as they do at the barber schools. They work along with the journeyman of the trade and they are given apprentice's pay and until they can qualify as a journeyman they are considered an apprentice and when they do qualify and come before an appropriate committee then they are graduated into the regular journeyman class and receive the regular journeyman wages.

Q Your suggestion I believe here was to curtail the number of students and curtail the number of barbers, actually, by putting some kind of restriction as to how many barber colleges we could have and how many chairs on the basis of population.

A That is a suggestion, that is a suggestion I make because actually for instance right there in San Bernardino there were 35 chairs. That is entirely out of proportion for a city of that size and as I say in my paper here that it is definitely cutting into the legitimate barber shops that are in that community because people that patronize these shops are not skid row patrons. They are not indigents or welfare cases. Primarily they drive up there in Cadillacs and everything else and they are people that patronize those shops, that primarily should be going to the barber shops and to the people that have been formally trained by these schools as I pointed out to earn their livelihood. We believe that trade should belong to the barber.

1 Q Do you have any idea as to how you are going to
2 choose these boys that go to these very restricted schools,
3 in other words, there might be 10 or 20 applications for
4 every opening that there would be in the school.
5 A Well, that would have to be before an appropriate
6 committee of practicing barbers, journeyman barbers, to
7 give them an aptitude test and see if they qualify because
8 today there is absolutely no qualification of that nature
9 whatsoever.
10 I had a farmer from Kansas here several years ago come
11 into my barber shop. He is well over 60 years old and
12 retired, a great big fellow and had hands like a couple of
13 hamhocks. He came to me and asked me if it would be
14 advisable for him to go to learn the barber trade since he
15 didn't have anything to do.
16 I talked to him for a while and I just discouraged him
17 from it. I said "Well, I don't believe with your hands
18 that you have there that you would ever qualify to become a
19 barber." So I discouraged him and there is a good many
20 people entering the trade that have physical deficiencies
21 and they can never be barbers.
22 We get an element into the trade that is dragging the
23 industry down to where the barber that is interested in
24 doing the proper work and operating a sanitary barber shop
25 living up to the codes, are extremely handicapped because of
26 this type of competition.

THE CHAIRMAN: Is that all, Senator Slattery?

SENATOR SLATTERY: Yes.

THE CHAIRMAN: Senator Coombs?

SENATOR COOMBS: No questions.

THE CHAIRMAN: One more question: Have these recommendations been discussed with the organizations that you represent?

A Well, only with certain top people on the top level.

Q This would be a general recommendation at this time?

A No. We will have a convention here in another month or so of the State Association and the delegates there will no doubt qualify some of these recommendations and probably improve on them and eliminate some, but these are some of the recommendations that we ourselves have made just prior to the convention time here because of the time of this hearing.

THE CHAIRMAN: Thank you, Mr. Valle. At this time it is probably too lengthy to have another witness so we will adjourn until 2:00 p.m. this afternoon.

(Whereupon, at 12:00 o'clock noon, an adjournment was taken until 2:00 o'clock p.m. of the same day.)

LOS ANGELES, CALIFORNIA, MONDAY, JUNE 27, 1960, 2:00 P.M.

THE CHAIRMAN: The Committee will be in order. There are several witnesses from the City of Bakersfield and they have asked to make a presentation at this time. I believe there are three that have submitted names so we will ask each one of them to make a short presentation.

The first one I will call on will be Mr. LaVerne K. Vogel.

LA VERNE K. VOGEL,

being first duly sworn, testified as follows:

THE WITNESS: My name is LaVerne Vogel and I would like to have it understood that I am here in the interests of good barbering to do what I can to help all schools and the State to keep barbering up to date.

I would like to state in my opinion the things that will help make barbering a more satisfying and respectful profession, although I was approached by an individual who apparently has a very low opinion of men in our State government. I still feel I may be of some help.

As a student attending a barber college the following items are things which in my opinion the State and school could improve in order to have better qualified barbers. The State should be more strict with rules and regulations covering student records and student time cards kept by the

1 schools.

2 Two. The State should require a specific quality of
3 tools sold to the students by the schools. In taking the
4 State examination for apprentice or journeyman license,
5 better and more specific time arrangements could be made
6 for those taking the test such as appointments for the
7 test.

8 There should be a specific grading schedule for the
9 oral and practical examination. The uncertain grading of
10 the practical examination is a great cause of concern of
11 students giving good haircuts and failing and students
12 giving bad haircuts and passing.

13 All rules and regulations of enrollment, re-enrollment,
14 attendance, and requirements for graduation should at all
15 times be publicly displayed. Any new law governing these
16 matters should be called to the attention of all regularly
17 enrolled students and any person newly enrolled, and should
18 likewise be publicly displayed.

19 I have a letter that I would like to give you.

20 THE CHAIRMAN: Did you wish to read it?

21 A Yes.

22 Q Would you read the letter to us, please?

23 A Yes.

24 "Moler Barber College.

25 "1332 - 19th Street.

26 "Bakersfield, California.

"Gentlemen:

"Reference re enrollment of LaVerne K. Vogel.

"The records show that on or about October 4, 1958 the above person submitted a grade school diploma and educational card No. K1646 was issued to him at the 8th grade level.

"We have therefore rejected the enclosed application for re-enrollment until such time as the applicant has successfully met the 9th grade educational level which became effective January the 1st, 1960.

"Please have Mr. Vogel give this matter his immediate attention to avoid cancellation of his enrollment.

"Very truly yours, State Board of Barber Examiners, J. Cramp, Secretary."

So the school told me I had to stop until it was straightened out and I went to Senator Stiern about this new law and I wrote to Mr. Cramp and I got the reply:

"Dear Mr. Vogel:

"Your recent letter indicates that you have gone to some length of confusion as my letter of June the 9th, 1960 merely requests immediate action to avoid cancellation of your enrollment in barber college. If you have not already forwarded the necessary proof of 9th grade education,

accompanied by two 1-1/2 by 1-1/2 signed photographs and by your application for re-enrollment, I request that you immediately do so.

"Very truly yours, James Cramp, State Board of Examiners."

SENATOR STIERN: May I ask a question?

THE CHAIRMAN: Yes.

SENATOR STIERN: Mr. Vogel, to be sure that the Committee understands this, it is my understanding -- you correct me if I am wrong -- that you had finished a regular course in the barber college and that you were then in the 250-hour refresher course. The college had accepted your fee and you were in a course of training for that 250 hours when this situation hit you; is that correct?

A That is right.

Q Then after you had paid your fee and had been into the refresher, the 250-hour additional course, this is when you were dropped from the school?

A That is right.

Q On the basis of this letter?

A Yes.

Q And I also assume from our discussion, and I think the Committee should know this, that you feel that the student should not be the one that has to pay this penalty, that if the law is changed that certainly the Board and the college, being aware of this, ought to inform

1 the student rather than to accept a fee and begin their
2 training and then drop them out since the law did become
3 effective January 1st, 1960; is that correct?
4 A That is right.
5 I also would like to know another thing. Maybe you
6 can tell me. We have students going to school there that
7 only have an 8th grade education that started before this
8 law went into effect. Now, if they failed that barber
9 exam, what are they going to do for that 9th grade
10 education? They don't have it. That means they have
11 wasted all their money and their time unless they go back
12 to school and get a 9th grade education.
13 Q I understand this and this is something I think
14 we will question the Board about as to what their interpre-
15 tation of that is so far as practical application. Go
16 ahead.
17 A No. 6. With the many different types of instruc-
18 tions given to students by all the instructors in the
19 schools, the State should require that all barber instruc-
20 tors attend a school in which the State demonstrates their
21 basic methods required for haircut and sanitation and the
22 theory of barbering.
23 No. 7. Some schools refuse to grant a diploma after
24 the student has passed the -- I should say not until after
25 you have passed the State Board, and all that is required
26 so far as the course is concerned is that we fulfill those

1 hours and the requirements by the State.

2 Some colleges are not strict enough about giving
3 students their 100 hours of theory. They are more
4 interested in the number of heads of hair a student can cut.
5 Since all barber schools are open to the public, there are
6 naturally rush hours and rush days. Many times it is
7 impossible to get help from instructors during this period.

8 Usually you find that on Saturdays, Monday before
9 Christmas or after Christmas and before the New Year we
10 had no class of any kind and they were so rushed that it
11 was actually hard to get help.

12 Q Are you saying that on Saturdays, for example,
13 the men are cutting hair and that you receive a minimum of
14 instruction?

15 A Yes, real minimum quite a bit. A method should
16 be worked out by the schools through which students can be
17 given help at these times in order that the student may
18 turn out as good a haircut as at any other time. Quality
19 should be more important than the quantity.

20 10. There should be specific rules and regulations
21 to govern absenteeism. The student is paying to attend
22 school and unless specifically noted his absency should be
23 governed by him unless grossly misused. Schools should be
24 limited to enrolling students to the number of chairs in
25 the individual school, thus giving each student an equal
26 opportunity to work.

One other thing I believe that would help, most of these people that come into these schools think we receive part of the money we take in. I would say new people they always ask you "Well, how much do you get out of the 65 cents?"

You tell them nothing and they are shocked to think that you do it all for nothing. So I think they should have signs up stating that students receive no pay for the service they render and that is about it.

I do have a diary here I have had notarized. I would like to also turn it over to you.

Q May I ask you to re-elaborate on a subject we discussed in Bakersfield concerning the equipment that a student is expected to secure. As I understood your statement, some of this equipment is not used at all, for example, I think you mentioned hand clippers was an example. Is this true?

A Yes. Hand clippers I have never been shown how to use. The particular school I go to sells a book that most students never use. They use the 4th Edition textbook which has been mentioned earlier.

Some of the gripes of the students are that they go take their written exam and questions are asked out of that, that is Mr. Trusty's book, which I have one of them, they come back and they don't even know where the question ever came from because it isn't in the book they studied.

1 It might be a little bit different and it is really
2 confusing to them.
3 Q Would you like to make a statement concerning
4 your experience of a Saturday operation in the Bakersfield
5 school. What has been your experience there?
6 A Yes.
7 Q Just as a matter of record.
8 A Yes, I have --
9 THE CHAIRMAN: Just one question before you start
10 that. Could I ask a question: You did finish this school?
11 A Yes, I took my apprentice exam and failed.
12 Q Oh, you failed. You have no diploma?
13 A No, I have no diploma. They won't give it to you.
14 SENATOR STIERN: Do they give a diploma at all, or a
15 certificate of completion of the course?
16 A I haven't received anything. As you will
17 probably find out later Mr. Covington tried to get that.
18 I have it in my diary, the date and the time that he asked
19 for that in front of me and he was refused. I thought I
20 had it marked down here, a student came over and asked to
21 borrow my clippers and I lent them to him and he went over
22 to give this young boy a regular haircut and he made the
23 mistake of going too high and the instructor had to take
24 enough time out to finish that haircut and told the new
25 student to pack his tools and not cut no more hair that day
26 and I also believe earlier it was mentioned by one of the

1 man that there is more students than there is chairs.
2 That also I have seen happen with students who would come
3 in at 12:30 in the morning and have to sit and wait until
4 2:30 to 3:30 before they could obtain a chair to go to work
5 and all this time they are paying the school 24 cents an
6 hour. That is what it breaks down to.
7 I have also heard students that have been told "I
8 don't want you saying anything about a man's haircut while
9 he is sitting in that chair. You wait until he leaves,
10 then we will discuss it."
11 I always was under the impression that that is a
12 school. How in the hock am I going to remember what I did
13 wrong, that I want to know, after the man leaves? I would
14 believe that the mistake should be corrected when the man
15 is sitting in the chair, to show me how to correct or what
16 I did wrong.
17 SENATOR STIERN: I just wanted to bring out a couple
18 of questions.
19 THE CHAIRMAN: Senator Slattery, do you wish to ask
20 any questions of the witness?
21 SENATOR SLATTERY: Yes, Mr. Chairman. I would like to
22 ask,Mr. Vogel, what is your status now? Do you have any
23 connection with the barber schools or the profession of
24 barbering?
25 A No. I imagine from Mr. Cramp's letter here that
26 I am still enrolled so I imagine I am still in school. I

1 haven't been going since I received that letter, but I
2 intend to start back again.
3 Q When was your enrollment in school, your
4 application accepted originally? Your original enrollment
5 in the school, when did you start to school?
6 A Well, I enrolled in Mr. Trusty's school in Long
7 Beach on October the 4th, 1958.
8 Q When did you complete the course?
9 A Well, I had to stop and I come to Bakersfield
10 then in October of '59 and I completed my course May 19th,
11 I took my exam, of this year.
12 Q And you did not pass the examination?
13 A No, I did not.
14 Q Then did you re-enroll for this additional course?
15 A Yes. I went down and he told me everything was
16 all right, go ahead and re-enroll. I could start whenever
17 I wanted.
18 Q Did they accept your money?
19 A Yes, they did.
20 Q And then you were told that you could not continue
21 with the course, is that correct, because of the fact that
22 you did not have a 9th grade education; is that correct?
23 A That is right. They received a letter and
24 called me to the desk and told me that.
25 Q Then did they say that you could not continue
26 your school, or the mere fact is that it didn't matter

1 whether you did finish the school or not, you still could
2 not become a barber because you didn't have the necessary
3 qualifications; is that right?
4 A No. He told me -- this is what he said, he
5 said "Well, all you can lose is the hours you have already
6 got in," which amounted to maybe 70 hours, but 70 hours in
7 that shop is 70 hours in any school, so I packed my tools
8 and said "We'll have to get it straightened out," and there
9 was a few other words spoken, but I was out so far as the
10 manager of the school and myself. I read the letter. I
11 was out and then when I wrote Mr. Cramp and he wrote back
12 and said I misunderstood it, I guess I am back in now.
13 Q Has anything been done towards straightening it
14 out?
15 A I have this letter from Mr. Cramp.
16 Q I mean is it being straightened out, is there
17 something going to be done about the money that you put up
18 on this thing, or has anyone told you that they are going
19 to do anything about it?
20 A Well, only I go back to school, is that what you
21 mean?
22 THE CHAIRMAN: The letter is to the effect that you
23 can go back?
24 A Yes. The letter is to the effect that I can go
25 back.
26 SENATOR SLATTERY: But you still cannot take the

1 examination; is that right, without these qualifications?

2 A That is right. I have to prove my 9th grade

3 education, which I have at home, and send them some new

4 pictures, then when I do that then I am back in.

5 SENATOR SLATTERY: That is all the questions I have.

6 THE CHAIRMAN: To follow that a little further, if

7 you complete the course now, the additional hours, will you

8 be eligible to take the examination and qualify and get a

9 license as a barber?

10 A Yes, I will as long as I can prove that 9th

11 grade education.

12 Q And you can do that?

13 A I can do it. I thought I had it with me, but I

14 guess I don't. I think I left it at home, a notarized

15 deal from the school that I have completed it.

16 What I would like to know is what about these fellows

17 that haven't got a 9th grade education. They started

18 before this new law went into effect. I mean it is no

19 concern of mine. I am safe.

20 Q What you are concerned about now is the fellow

21 that is going to school but, say, with an 8th or 7th grade

22 education and he completes the course, receives his

23 diploma and is eligible to take the Board examination but

24 cannot take it because he does not have the 9th grade

25 certificate.

26 A No, we are off here. In other words, like

1 myself, let's say I only had that 8th grade education.
2 When I enrolled at the beginning, we will say, 1958, that
3 is all I had was an 8th grade education. All right. I
4 go past we will say 1960, like I did, when the law went
5 into effect.
6 I took my exam. I failed and that I means I have to
7 go back 250 hours more. I can't go back because I haven't
8 went any farther than the 8th grade. What I want to know
9 is what are those fellows going to do?
10 Q I see.
11 A Are they going to take a beating? Somebody has
12 gained on them, but they haven't.
13 Q Answer this question: Where did you obtain the
14 9th grade education in the meanwhile?
15 A From the high school where I went.
16 Q From a high school. You went to night school?
17 A No, I completed the 9th or 10th grade, but when
18 I enrolled all they told me to bring to them was an 8th
19 grade diploma so that is all I brought.
20 Q That was the law at that time?
21 A Yes. What I am getting at, you would think that
22 the fellows that were already enrolled shouldn't be
23 affected by this new law.
24 Q Well, then, perhaps there should be, as Mr.
25 Davis has pointed out, some sort of a grandfather clause
26 in the law to the effect that if they had already embarked

on a course of barbering instruction that they should be able to take the Board examination regardless.

A Because there is quite a few guys that is worried over that.

Q I imagine by the time the Legislature convenes, and the law becomes enacted, that most of this would be past the cradle, which would be a year from this September.

SENATOR STIERN: I would like to ask him one more question.

THE CHAIRMAN: Yes.

SENATOR STIERN: Since the examining of an apprentice is so closely related to the teaching in the school, have you any comments that you can make to this Committee concerning the operation of the Board as far as the students are concerned while he is being examined? In other words, that Board is going to examine the student and decide whether they pass or not. If they fail, they go back for another 250 hours. There is no certificate in between time here, so do you have any expressions of opinions so far as the manner in which a student is handled by the Board?

A You mean like when we get there and how they handle us?

Q Do you feel you were handled fairly by the Board when you took the examination by the Board?

A Any guy that fails I guess feels he wasn't.

Q As I recall, and since you are a representative of Bakersfield students, as I recall an awful lot of students failed to score 73.

A Yes, because they knocked us down on our haircuts to 8 points out of 20, you get 8. If you broke that down, that means I would have to half-way scalp the man. I mean it has to be drastic to be cut down to that. That is where most of the gripes come in is 8, and all the rest you get, I forget what it is, you get 4 out of a possible 5. Of course, we all know we are not all perfect by a long ways.

Q Now, I have in my hand three score sheets of boys who took exams and out of 20 points on a haircut, by two examiners on each one of these, all are graded/8 out of 20 points. Am I assuming correctly that the applicants feel that after they have completed 1,250 hours that they should be able to cut a head of hair better than an 8 point score on a State examination?

A Yes.

Q Is that the general feeling among the men?

A Yes. Of course, you can ask any journeyman barber to take an apprentice, you ask any of them and they will tell you it takes about 5 years to become a good barber, so you go down to the Board and you can't be expected to turn out a haircut like a man that has been in it for 30 years, I don't think.

I mean we are nervous, scared, so you are bound to

mess up a little bit somewhere. Probably the best solution would be to do away with the apprentice exam, even if you had to go to school a little bit longer.

THE CHAIRMAN: Do you have any further questions, Senator Slattery?

SENATOR SLATTERY: No.

THE CHAIRMAN: Senator Coombs, do you want to ask any questions?

SENATOR COOMBS: I don't know what I would ask, Mr. Chairman.

THE CHAIRMAN: Thank you very much and you will probably be here later on if any of the members wish to ask you further questions?

A I will be here for a while.

THE CHAIRMAN: Thank you.

A Could I leave this?

THE CHAIRMAN: Yes.

MR. DAVIS: He has a diary there.

THE CHAIRMAN: Yes, we would like to have that and we appreciate having you come before us. This will be marked Exhibit H and at this time we will have a 2-minute recess.

(Recess.)

THE CHAIRMAN: The Committee will be in order and the next witness will be Mr. Ernest Covington.

ERNEST COVINGTON,

being first duly sworn, testified as follows:

THE WITNESS: My name is Ernest Covington. Well, I am one of the students from the Bakersfield College. I have been for an examination and I don't feel like I have been examined. That is why I am here.

First of all, I have been a barber for about 35 years and I got involved in a lawsuit with one of the inspectors. I cut his hair and he had me arrested and I had two boys going to school and he told me if I didn't pay the fine that he would see to it that they didn't get a license.

So later on I go to school and I have the instructors ask this man if he would hold it against me and he said "When he goes down there, he will earn everything he gets."

So I went and I got 63-1/2 and the instructors in school told me if I didn't pass there wasn't any need of anybody at the other schools going, but the inspectors, nobody ever looked at me while I were given the hour and a half procedure for an apprentice license, and when I got home I looked in my envelope and I had a journeyman's receipt.

So I wrote them and asked them about that but they said I was an apprentice. I went back and I asked the instructor to give me a diploma so I could show that I had been to school and put in my time there and he said that they wouldn't give me anything.

All I had for proof was about 8 of these cards, books, and I was supposed to have had about 1,600 -- I mean 16 books, which was 100 to a book, but they called all the books in after I had been there about 3 months, and one of the ladies of the school told me if I asked her before I went down, she could have told the inspector who I were and everything would have been all right.

SENATOR STIERN: For the record, the lady told you what?

A That if I told her that I was going to my examination, she could have talked to them and I would have probably passed, so she got on the phone and tried to call the school then the next day.

Q Who was this lady, what is her position?

A Mrs. Lewis, owner of the school.

THE CHAIRMAN: Would you repeat that name?

A Mrs. Lewis, the owner of the school.

Q Owner of the school?

A Her husband or her, I don't know who is, but this Mr. Smith in the beginning, he told me that my boys won't get a license because I cut his hair, if I didn't pay the fine, so I paid the $100 fine.

Q You mean the man who reprimanded you said that your two boys would not receive their license because of this?

A He said he would mess them up at the State Board

1 provided I didn't pay the fine, and he also went to the
2 lady judge in Lamont and told her to charge me $100. She
3 told me that is what he said, a $100 fine. I paid it. I
4 have the papers here.
5 SENATOR STIERN: You mentioned that you had practiced
6 barbering for 35 years in another State?
7 A I barbered in Oklahoma and Arkansas in the back
8 yard, as these fellows told you, and in barber shops for
9 35 years since I was about 15.
10 Q Then you go to the Bakersfield Barbers College?
11 A Yes. I went to school after my boys, they
12 passed, and I did pay the $100 fine, and they both came
13 to school, came to Hill Street to take their examination.
14 One of them made 66, one made 83 and then I decided I would
15 go to school.
16 So I had an 8th grade diploma, so I had gone to school,
17 and I make 63-1/2, but there wasn't an inspector looked at
18 me all the time I was giving my hour and a half procedure.
19 One of them sat at a desk and graded papers. The other
20 never came around to me at all. They acted as though I
21 wasn't there.
22 Q You are telling us, this Committee, that the
23 lady who was connected with the ownership of this school
24 stated that she had connections with the Board, or could
25 fix it for you to get through the Board, is that what you
26 are saying?

1 A She told me if I got hold of her the day before
2 I went in, I wouldn't have had any trouble. As it was,
3 they didn't know me from anybody else. I don't know
4 whether she meant that she could fix it or what, but that
5 is what she told me, so she got on the telephone and
6 called three or four places in Los Angeles and it was too
7 late in the afternoon, 5:00 o'clock in the evening. She
8 couldn't get anyone, but I would like to show you my
9 breakdown, which both examiners agreed all the way down
10 the line. They gave me 8 on the haircut, and I didn't
11 give my scalp, just about a third. They gave me a 4,
12 which is a possible 5 and they gave me 4 and I missed most
13 of it when I seen they wasn't looking, one of them sitting
14 at the desk and one on the other side of the house. Would
15 you like to see this breakdown?
16 Q I think that would be interesting. Did you do
17 all the things on that slip?
18 A I did everything on here but partly the scalp
19 manipulation, and I seen that I wasn't being examined and
20 I just went through about half of it.
21 SENATOR STIERN: Senator Slattery, would you like to
22 take over?
23 THE WITNESS: You can all see it, two people looking
24 at that card and both of them have a different version of
25 that card but on this both of them sees it just alike.
26 They agree all the way down the line.

THE CHAIRMAN: Mr. Covington, we usually don't ask this question of a lady, but perhaps you wouldn't object. How old are you?

A I am 48. I had an idea that that was raised, that was the reason I was turned down because of my age. There were three or four older people than me that had been sent back four or five different times.

Q Did your boys pass?

A Both boys passed.

Q They are licensed barbers now?

A Apprentices.

Q Yes, but I mean they will have to serve?

A Both of them has quit barbering. I have a barber shop of mine. They won't work in it. They say there is too much corruption in the barber business. They are hauling hay.

Q How can a person who is not a licensed barber own a barber shop?

A I have got one, but it is under another person's name. They won't give me a license. I have got a 2-chair barber shop passed by about 8 inspectors. I was going to ask for one in my own name but I knew I wouldn't get one if I did.

Q What is your status now? Are you going to school?

A No, I doubt if I can go to school. I don't have a 9th grade.

1 Q Are you eligible to take the examination again?
2 A No. Nobody has ever given me an opportunity to.
3 The instructor said I could come back to school if I had
4 $65, I believe.
5 Q That you would have to take 65 hours additional
6 as provided in the law?
7 A $65 and 230 hours.
8 Q 24 cents an hour as somebody said?
9 A Yes. This other business on this 24 cents an
10 hour, at the time I were going there, -- let's see, I
11 enrolled in May of 1959, I believe, and there were near 60
12 or 63 students and 29 chairs, but that didn't bother me
13 for I went at 7:00 o'clock.
14 Q How many instructors are there in this school?
15 A There were two instructors there.
16 Q Two?
17 A There were at one time, other times three. They
18 have changed hands.
19 Q Now, they stand by and watch the students?
20 A On Saturdays they used me, the last month I was
21 there, for an instructor. I worked most of the time.
22 Q They used you for an instructor?
23 A For about a month, yes.
24 Q Yet, you failed. They did not pass you?
25 A This is my report. That is right. The
26 instructor will tell you the same thing. They told me

when they got that report "We don't want you for an instructor any more."

Q Did they give you instructions beyond the physical part of it, I mean pertaining to the head structure and medical terms and all of that, did they give you the whole class?

A They were supposed to have had one for Monday through Thursday evening. A lot of times we didn't have it if we were busy, we wouldn't have a class if there was lots of customers come in. We didn't have classes all the time.

Q Who comprised the customers?

A What do you mean?

Q For the most part were they children or were they students or were they people from, let's say the less wealthy areas or just what class of people would come in?

A I had an attorney that came to me regular about once a week.

Q An attorney?

A Yes. I cut his hair about once a week.

Q Of course that doesn't mean too much. Some of them don't make too much money either.

A But we had very good people, and groceryman and there was some dry goods men there, merchants that I cut their hair.

Q People of means that came in?

A Yes. They were outstanding people that came in, quite a few. Of course, I expected it because of the price. I don't know whether that would be a cause.

Q Did they think perhaps because the instructors were there that perhaps they got a better haircut?

A Well, there was a lot of them, I had a television man one day that asked me to start on him and then get the instructor to finish it. He was on television, he said he didn't want his head messed up, so he figured I might mess it up so I went and got the instructor and he looked it over and he said "Go ahead, you can do it just as good as I can."

Q He told you that?

A That is what he told me. I hadn't been there but the second day -- I would like to remind you, while I am thinking of it, I enrolled on Friday and the second day I turned out 29 heads of hair and the instructor patted me on the back and said if everybody would do this way we would clean this house up. I was a new student and this was the second day, that was a Saturday.

Q Of course, if you had been cutting hair for 35 years you probably had a lot more experience than he had.

A I had 63-1/2 according to that paper and I would like to show you a journeyman receipt. I went down for apprentice and I didn't get it. May I give it to you, this is what they gave me. It doesn't have my name on it.

1 Was they examining me or was they examining this man?

2 Q Well, this was from the State Board of Barber

3 Examiners.

4 A That was in my envelope the day I left Hill

5 Street.

6 Q "October the 27th, 1959. Received from James R.

7 Stackhouse $15 for one journeyman barber examination.

8 State Board of Barber Examiners, by J. O'Neil."

9 A That was a different day even on that. I was

10 down there on the 16th day of November for my exam, but

11 that is a receipt I got from them. When I looked home I

12 looked at it and I thought they had made a mistake, so I

13 had an attorney to write them a letter and said I was

14 there for an apprentice, and so they sent me an apprentice

15 on the date that I did it, on the 15th, and I was there on

16 the 16th, so I think they should get their minds made up

17 when I was there, whether I was even examined or not.

18 THE CHAIRMAN: Any more questions?

19 SENATOR SLATTERY: Yes, Mr. Chairman. Mr. Covington,

20 you mentioned about this fine that you had assessed

21 against you of $100.

22 A Yes.

23 Q What was the purpose of that? What law did you

24 violate?

25 A They call it -- do you have that paper there?

26 Well, it was for practicing cutting hair or something.

1 Don't you have that there, Senator Stiern?

2 SENATOR STIERN: I think you have it there.

3 A Oh, here it is right here. This is the whole

4 works. And I was guilty of that except for charging him.

5 I didn't charge the man for it.

6 I cut lots of kids' hair and that I didn't charge for

7 and I never charged anybody when I do that.

8 THE CHAIRMAN: While we are looking at that document,

9 on this receipt, when I read received from James R.

10 Stackhouse, yet your name is Covington.

11 A That is right. That is why I wondered when I

12 got his receipt, for a journeyman, if they got me mixed

13 up with someone else or what.

14 Q Do you know him?

15 A No, sir, I never heard of him before. I didn't

16 think a thing about it but when I got home, most of the

17 students ended up with a blue one to show that you had one

18 apprenticeship examination.

19 Q Of course, that could have been an error.

20 A Sure, it could have been an accident, but I

21 thought they might have made a mistake and given me a

22 journeyman's examination, which is only an hour examination,

23 when mine was an hour and a half. I could have did the job

24 in an hour, but I was under the impression I was going for

25 apprentice.

26 THE CHAIRMAN: Did you have a question?

1 SENATOR SLATTERY: Yes. This interests me. Were
2 you attending school at the time that this happened?
3 A No, sir. My two boys were in school. I had two
4 sons going to school.
5 Q Now, at this time did you have a regular barber
6 shop?
7 A No, sir.
8 Q Were you just doing this at home?
9 A No. I just had a grocery store and a little
10 service station and I set this Mr. Smith down on a Pepsi-
11 Cola box and cut his hair in the service station.
12 Q And he came and asked you to do this?
13 A He came and asked me if my boys would cut his
14 hair. He said "They are going to school."
15 I said "No, they won't. They don't have their
16 license." And then he came back the next morning and he
17 told me that he was just a poor Okie out here and he
18 didn't have the money to buy a haircut and I said "Well,
19 my boys won't cut your hair but I will. I am not trying
20 to get a license." And I said "I am not going to charge
21 you either," and I said "Maybe I can help you a little bit
22 until you get a job."
23 He said he couldn't get a job with his hair. I said
24 "I think you're a stool pigeon but I'll cut your hair. I
25 don't think you can bother me."
26 Q And this chap here was actually employed by the

1 State Board of Barber Examiners?

2 A He is an inspector of some kind. I don't know

3 what he is. He told me when he came back around that he

4 was an inspector and I was aiming to have a jury trial at

5 court and he was very upset about it. He told me that I

6 would probably beat him in court but he would beat me in

7 the long run for he would see that those boys didn't get a

8 license, but the boys didn't do the barbering, it was me

9 did it.

10 THE CHAIRMAN: In other words, he charged you with

11 cutting the fellow's hair but he was going to take it out

12 on the two boys?

13 A He said he would see they didn't get a license.

14 He would mess them up. I don't know what he meant, but I

15 talked to the attorney. He told me the best thing I could

16 do is to go pay the fine, so I went to this lady judge and

17 she said that this inspector told her to charge me $100

18 if I came in to pay off.

19 Q A lady judge?

20 A She is a lady judge. She said Inspector Smith

21 had been there and told her to charge me $100 if I pleaded

22 guilty, so, well, I pleaded guilty to cutting his hair,

23 but I didn't plead guilty to charging him. I wouldn't

24 charge him for it. He threw a 50-cent piece down on the

25 counter as he went out.

26 Q Well, it was actually in court?

1 A No, we never went to court, but he had the papers --
2 sure, it was in court. You see I paid off. I pleaded
3 guilty to it, to cutting his hair.
4 Q I see.
5 A Because I was in the wrong. I shouldn't have cut
6 it in the first place, but he gave me the story he couldn't
7 get a job, so I thought I would trim his hair, and didn't
8 use nothing but a clipper on his hair. He called it a
9 haircut.
10 SENATOR STIERN: Are you saying, Mr. Covington, that
11 the judge told you that this man had told her what the fine
12 should be, that she should place upon you?
13 A She told me that Mr. Smith said that that would
14 be a $100 fine providing I came to pay it and pled guilty.
15 That is exactly what she said.
16 Q She doesn't happen to be the judge any more?
17 A No, she is not a judge there now. This was in
18 Municipal Court, as I recall it.
19 THE CHAIRMAN: Senator Coombs, do you have any questions?
20 SENATOR COOMBS: No, except the comment that most of
21 this testimony is pure hearsay about what someone else told
22 someone else.
23 THE CHAIRMAN: I believe, Senator Coombs, this is
24 direct evidence by this gentleman, however.
25 A I have a model here with me, that came for me
26 from my examination, and he came with three others before

me and maybe one of them was after me. I would like for him to speak to you for a minute if it is possible.

THE CHAIRMAN: That is Mr. Stanford? We are going to call him next, so you may be excused at this time.

MARTIN STANFORD,

being first duly sworn, testified as follows:

THE CHAIRMAN: Go right ahead.

THE WITNESS: My mission here is this: I am not interested in the barber college or no part of it, but I think Mr. Covington was very much mistreated. He is a barber.

I went with his boy as a model and his boy got 76. They stopped his boy twice during the procedure, but he still got 76 and he left big patches of whiskers all over my face. His father straightened up my hair when I got back in three days, and I then went with a fellow by the name of Vic and he got 83 and I had to shave that evening before I could go out on a date. Then after I went with this Vic, Ernie straightened up my hair again, after I went back with him, within a few days. I went with Ernie and he passed about 62, whatever it was, and one gentleman sat there and read a newspaper and then looked at some papers during the whole procedure because I was watching.

I didn't understand it but I was told before I went, about a whisper around the college that Ernie wasn't going

1 to pass. I was told that. I didn't listen. It just
2 didn't register. I didn't get who it was.
3 I knew I was going anyway, and he didn't pass, so I
4 didn't have to get a shave the same day after he shaved me,
5 or a haircut, but he cut it fine.
6 I went to a student over in Lamont the other day to
7 get a haircut and Ernie straightened up my hair again
8 yesterday. It looked like I had a washpan set over my
9 head and had my hair cut, so he straightened it up again
10 yesterday.
11 Q Who straightened it up?
12 A Mr. Ernie Covington, the gentleman on the stand
13 ahead of me.
14 Q In other words, you believe he is qualified to
15 have a license?
16 A He is a barber.
17 Q He is a barber?
18 A Yes, I don't know anything about the books about
19 it, about that part, but he is a barber with the tools he
20 works with.
21 THE CHAIRMAN: O.K., sir. Thank you very much. Glad
22 to have you with us.
23 I might say at this time that the barber schools are
24 here and we have promised that they would have equal
25 opportunity to present their side of the case, so I believe
26 we should ask Mr. Warren and the others who are going to

speak to please be brief so we will have enough time for what you might call your opposition. I don't know whether it is opposition or not, but I believe the next one then will be Mr. Roy Warren.

ROY WARREN,

being first duly sworn, testified as follows:

THE CHAIRMAN: You may go ahead, Mr. Warren.

A Well, my name is Roy Warren and I have been in the barber business in Kern County since 1925 and I am operating a 3-chair barber shop in Bakersfield at the present time, hiring two employees and myself. I am also Secretary-Treasurer of the Barbers Union in Bakersfield.

I would like to bring up some of the facts how these barbers and barber shop owners and barber shop employees, how they feel about the barber college that is in Bakersfield and the effect it has had on the whole barber industry in Kern County.

Some three years before the barber college came into Bakersfield, why, quite a bit of public relations work had been done to contact, I would say, every barber, ever barber shop owner in Kern County, and this barber college in Bakersfield was one of several that had made application for a college license, and was put into Bakersfield just prior to the State law that now says that the State Barber Board can take the survey to determine if a barber college

1 can be put into a community, if the community is large
2 enough to afford the support of a barber college and this
3 was put in two years ago last February.
4 Some three years before this college was put in, why,
5 all of the barber shop owners in Kern County had been
6 contacted and every one of them in the community in the
7 greater Bakersfield area had a verbal agreement that they
8 would work together and open their barber shops for five
9 days a week only, that they could make a legitimate living
10 if they would work together and that was in operation at
11 the time that the college did open in Bakersfield.
12 I am bringing this up to show how the college has
13 affected the income of the barbers in that particular area,
14 because it is one of the smaller communities in the State
15 that does now have a barber college in it.
16 At this particular time all of the barber shops were
17 working five days a week and the barber college came in and
18 opened up with 29 chairs and they opened from 7:00 o'clock
19 in the morning until 9:00 o'clock at night, six days a
20 week, and their excuse of opening long hours and long days
21 was that they had so many hours to give the students to
22 pass their examination, and by State law they had to keep
23 open certain hours so that they do give the student a
24 chance.
25 They wouldn't cooperate in our opening or closing
26 hours, so one by one after about six or eight months of the

1 college opening, one by one the barbers reneged on their
2 agreement and had to go back to the 6-day week.
3 At the present time I would say there is 40 per cent
4 of the barber shops in Kern County, or in greater Bakers-
5 field area that are now back to six days a week.
6 The income of the barbers I would be willing to say
7 that there is not a barber in Kern County that was working
8 at the time that the barber college opened that is making
9 as much money now, or salaries as they were at the time,
10 including the ones that are still working six days a week.
11 They are not making any more or as much money in the six
12 days as they were five days before the college opened.
13 I am bringing this up to show that we are forced to
14 pay a pretty big price because that is where the income
15 comes out of the barber's pocket because of the barber
16 college.
17 We have practically 200 barbers in our greater Bakers-
18 field area and with the students that they turn out, and
19 the apprentices we are very lucky, if this continues to go
20 on and operate this college, say, for at least 20 years,
21 the way they are turning out now the students, if we absorb
22 5 per cent of the students that are turned out by the
23 college. We will be very fortunate to help that many
24 students.
25 Q What percentage?
26 A 5 per cent of the students that are now turned

1 out. If this continues to operate we will be very fortunate
2 to absorb 5 per cent of the students that are graduated from
3 the college. That is a very big expense to ask the barbers
4 to support something that is actually tearing down the
5 conditions. I mean we are supporting the college and it is
6 more of a detriment to the barber business than it is to
7 help because I am in a position that most of the students
8 contact me when they graduate, to try and find work
9 positions and places to continue their education and they
10 have come out with large promises that they would make quite
11 a bit of money and easy jobs, and get the job, and it makes
12 them more or less down on the barber shop owners, and down
13 on the barbers to think that they can't get these promises
14 and get the money and as Mr. Covington testified his two
15 sons quit barbering and went back into hauling hay and the
16 apprentices, very many of them are doing just exactly that.
17 They are finding that they cannot make the money, so they
18 go into some other line of work rather than stay in the
19 barber business.
20 We feel that we are not against barber colleges, that
21 the barber colleges are a very definite part of our business.
22 The only reason that we bring this out is that we think
23 that under controlled measures, where it would be for the
24 benefit of the students, for the benefit of the public, for
25 the benefit of the barber college owners and also all of
26 the barbers in the barber business, that it could be worked

out to where it would be a help and the barber colleges would absolutely be part of our business and a big help to us.

By having the large amount of volume of students that are coming out it is absolutely hurting the entire industry. It is just putting the barbers in the position that they cannot operate their barber shops in a clean, sanitary manner unless they make a certain amount of wages or salaries to live on and it is lowering the standard of living through Kern County in the barber trade.

There are a couple of changes in the legislation and the State law that we would like to suggest that we believe will assist the barbers in raising their own standards.

In the 1920s the pharmacists in the State of California went through practically the same thing the barbers are going through now. The educational standards were so low in their business that the pharmacists could not make a living at their trade and I think the barbers are practically in the same category right now.

If the educational standards are not raised up and brought up to a higher level, why, it will be so that the legitimate service man, the man that makes a living at the business, his income will be so low that he cannot operate with any sanitary methods that the State requires.

We feel that a student cannot be taught in a barber college the full principles of his trade any more than a

medical student could be given a State license when he graduates from medical school, that we feel there is a certain amount of internship that should be given to the student before he is given a State license.

At the present time when a student graduates from our barber school, he is given an opportunity to take a State examination so that he is given a State license, and that State license cannot be taken away from him if he lives up to the rules and regulations, he has that for life and we feel that a partially-trained student -- which is only possible to partially train a student in a college because there is a certain amount of education that must be learned as an intern, we feel that the State Board of Barber Examiners are spending much of their time and a lot of their work is spent in giving these thousands of examinations to partially-trained students to give them a State license.

We feel that if this student kept his student status from the day he started and was given a reasonable amount of time to learn the trade in a school, plus a certain amount of internship, and then was given an examination to pass a State license, why, he would be more qualified and then be given a regular barber's license and do away with the apprentice license.

In that way, why, he would have all of his schooling which actually now he can only get a certain amount of

1 training in the school. It isn't possible to teach him
2 the entire trade.
3 We also think it would be possible with a small change
4 in the legislation, if certain changes was made it would
5 be possible for the barbers to raise their own standards
6 within their own framework, that at the present time all
7 barbers when they pass their examination have a license
8 and they have what they call a registered barber's license
9 and there is no difference between one workman and another.
10 In the multitude of people there is always the bottom
11 and the top in the trade and if you have one license, why,
12 it seems like that the apprentice now when they come out
13 of school they don't have the opportunity to have the
14 higher type of the top grade workmen in the barber trade
15 who want to teach them. It isn't worth their time and
16 effort, so they fall into the category that they are
17 trained by the bottom of the barber trade in most instances.
18 We feel that the regular barber given a chance to
19 give an examination, to prove his ability as a leader in
20 his trade, to educate the students when they come out of
21 college, and that is the most important time of the
22 student's life is when he comes out of the barber college --
23 there is no place for him to go and he is kicked around
24 from one shop to another, and, say, get some experience,
25 but if we have some type of a registered barber that would
26 take an examination, and be given maybe an extra stamp on

his license to show that he was of a higher grade barber we would then classify ourselves as maybe two classes of barber: One a registered barber and one with the ability to train.

If these higher type barbers were given the opportunity to hire these students and train them, I believe that the whole barber industry would be improved. The barbers would actually pull themselves up by their bootstraps and make a better class barber and better class barbers would have the privilege of teaching the students and thereby raising the whole industry, the whole barber trade.

These are only suggestions, but I believe that if all the people in the industry and the schools and in the barber shops, the owners, and the Legislature would sit down and work together I believe this problem could be worked out in a satisfactory manner to everybody, because these schools are a necessary part of our business, but in a school the size that is in Bakersfield, 29 chairs -- and they have had as high as 65 and 68 students working on the 29 chairs -- they have had one instructor on a shift of 29 students.

The students do not get enough instruction with one man teaching 29 students, and then they have early classes and late classes and they turn out in the neighborhood of 65 or 70 students, and they do that practically twice a year with the mass production.

1 That is undermining the whole industry in Kern County.
2 I mean that is the only thing that we know anything about.
3 We are in close contact with it and I see the boys come in
4 after they graduate, looking for work, and you feel sorry
5 that you can't help them, but under the present setup the
6 way that the program is, it is a case of mass production
7 and I think that you gentlemen, if we are not smart enough
8 to help ourselves, maybe can sit down and figure something
9 out to straighten out this problem.
10 Thank you very much.
11 THE CHAIRMAN: Thank you very much. I believe it is
12 going to be all of the groups of the barber profession
13 that will ultimately have to get together to help us.
14 We are not the ones to make up your minds. You folks know
15 your own business.
16 You will have to point out to us what is necessary.
17 You will have to point that out to us.
18 Senator Stiern, do you have any questions?
19 SENATOR STIERN: No, I have no questions.
20 THE CHAIRMAN: Senator Slattery?
21 SENATOR SLATTERY: No questions.
22 THE CHAIRMAN: Senator Coombs?
23 SENATOR COOMBS: No.
24 THE CHAIRMAN: Thank you very much for coming.
25 MR. FRANCIS: I have a list here of witnesses,
26 students, apprentices, barbers, if you would like to hear

them.

THE CHAIRMAN: The only thing, Mr. Francis, is that we plan on adjourning at 5:00 o'clock and we do have several members of the Barber Board that are here, then we have the schools and I don't want to cut anyone.

There are only two from the schools, unless they have others, but I think everyone should have their opportunity at this meeting. I would say if there is time later on we will call them but I believe Mr. Luckey, Vice-Chairman of the State Board of Barber Examiners should be the next one.

HAROLD LUCKEY,

being first duly sworn, testified as follows:

THE WITNESS: Mr. Chairman, I am here only to answer any questions that the Committee might want to know.

So far as we are concerned, we had no idea what the purpose of this meeting was and I will answer any questions that any member of the Committee has that is possible to answer.

THE CHAIRMAN: You have heard the State Board mentioned several times during the day?

A Yes, I have heard it mentioned several times.

Q And perhaps you could make some comment on what has been said.

A Well, I will have to agree with the statement that one of the students made that any person who fails,

1 naturally, doesn't feel very finely toward the Board.

2 Having been a member of the Barber Board, I am

3 completing my 15th year, I have assisted in examining

4 probably 40 to 45 thousand students. The Board is only

5 interested in a student when he appears for examination to

6 the point that can he be -- is it to his best interest to

7 be passed, and can he do the type of work that is required

8 in the field of barbering.

9 Naturally we do not expect apprentice barbers to do

10 as little work as we do a journeyman barber. Our system of

11 grading is not the same, but when we do expect from a

12 student, when we pass him, is to go out into the field and

13 be able to serve the public in a manner in which they are

14 entitled to have.

15 Now, we consider that we would be doing a very unjust

16 thing if we granted any student a license before he could

17 go out and do work that was acceptable to the public. It

18 would be just a difference maybe between a little bit more

19 training, the difference between success and failure because

20 if they can't do the work and they go out and get a job,

21 they can't hold it. They get fired. They go from job to

22 job and the first thing you know they become discouraged

23 and say "I was never meant to be a barber anyway."

24 Certainly the Board is not interested, we have never

25 been and we don't consider it our legal duty to regulate

26 the number of people who are in our field, or in barbering.

1 We are only interested in can a person go out and do
2 acceptable work, and I would like to state before the
3 Committee that never has any investigator that we have in
4 the field ever relayed any information to the Board that
5 any barber has been in court or anything else, because we
6 do not know when that happens.
7 We have never had any member of the school come up
8 and ask us to give any person any special favors. If they
9 did, it wouldn't make one bit of difference.
10 We judge the applicant on what he does the day of his
11 examination. We only see one operation. We make our
12 decision off of that one operation that we see the day
13 that he appears for examination.
14 Q So far as the schools are concerned, how actively
15 do you folks check the schools?
16 A We check the schools approximately 2-9/10 times
17 a year; in other words, we have eight fieldmen trying to
18 take care of 23 barber colleges and approximately 10,000
19 barber shops and we take them by city and county. We try
20 to get three inspections per county per year but we are
21 not getting them.
22 The schools are checked periodically, I would say four
23 times a year, that is for the purpose of seeing that the
24 students are properly enrolled, that their cards are
25 displayed, their educational cards, and we take a spot
26 check of attendance. In other words, they go in and maybe

pull out 12 time cards and check against the records that the schools are keeping.

Q Are there any regulations whatever as to the number of instructors and so on? Do you have the power to make the necessary regulations?

A We have the power to make rules. Prior to I would say approximately 1951 there was no regulations over the schools whatsoever in regard to curriculum, of instructors, space for opening of new colleges and so forth. The Board sat down and made up a bunch of rules.

At that time we said one instructor for every 25 students enrolled. Now, that doesn't mean for every 25 students on the floor, that is enrolled in the school, and we started on that. Maybe the number of students should be cut down. Maybe we should amend that and put in more instructors per student.

However, in going into the schools I have observed that students do not very often call the instructor for help and I have discussed it with the school and any time they say that a student calls for help the instructor will gladly assist them in the work, the type of instruction that they ask for.

SENATOR STIERN: Is it good on Saturdays too?

A Well, Saturdays, I have never been in on Saturdays, I might tell you. Maybe we had better start going in on Saturdays.

1 THE CHAIRMAN: Do the members of the Board,
2 inspectors and so on work Saturdays on occasion?
3 A The Board here lately has been working six or
4 seven days a week. However, the inspectors do work on
5 Saturdays, yes, because there are so many of the barber
6 shops that are closed on Mondays that we do require, I
7 think, the investigators to work three Saturdays per month.
8 Q As Vice-Chairman, or Chairman of the Board, what
9 do you feel is wrong?
10 A Well, Senator Thompson and members of the
11 Committee, this is a problem that not only involves
12 California. We are members of the National Association of
13 Barber Examiners, which is a national association.
14 It affects practically every state that has license
15 laws. I would say one of your main problems in your barber
16 colleges today is the time element in which a student is
17 allowed to attend school.
18 I am speaking now only as Vice-President of the Barber
19 Board, not expressing the opinion of the other two Board
20 members.
21 Prior to 1957 the law required the students to put
22 in 1,000 hours in a barber college within six months. In
23 '57 the law was amended from 1,000 hours to 1,248 hours
24 and yet a student was given six months to put in that
25 additional 248 hours, which in turn allowed the schools to
26 enroll two and three students per chair, which has been

1 brought out in this testimony today.

2 Personally, I think that is one of the things that is
3 wrong. I think also that we have entirely too many part-
4 time students enrolled in the barber colleges. Students
5 who are in school four and five hours a day I don't think
6 are of any benefit to themselves or to the schools either.

7 I think that section of the law should be amended.

8 Q Do you believe there should be other prerequisites
9 before they could enroll in the school? Now, you have
10 heard the testimony that a great many -- you have heard
11 this before -- that they are admitted to a barber school
12 and at the time that they are admitted it is reasonably
13 known that they would never qualify for several reasons.

14 A That would be a question, Senator Thompson, that
15 I wouldn't know how to answer unless you would say that
16 you were going to raise the educational standards to where
17 that you would probably get maybe a better type and a
18 higher type of student in school.

19 Now, we have in school today, which has been brought
20 out in this hearing, a lot of people who have been
21 convicted of felonies. A lot of those are being put through
22 school by the State Rehabilitation.

23 We had a bill in the Legislature -- I think you are
24 familiar with this -- in the last session which would have
25 given the Board the right to interview these people prior
26 to the time that they enrolled in school and tell them

1 them that you can go to school, we can't stop you but we
2 are not going to admit you to examination.
3 Q They would be warned?
4 A That is correct, and I am very sorry to say
5 without any opposition that we knew anything about that
6 bill was killed in committee in the Assembly.
7 To screen students I think might be a very wonderful
8 thing. I might also say that we have at various times met
9 with the State Rehabilitation in regard to the type of
10 students that they put in the schools. It seems as though
11 that barbering might be the cheapest training that they
12 can give them and we get a lot of students in school who
13 will never be barbers and I might tell you that I doubt
14 that they will ever pass their examination.
15 Q We have run across that, and that is probably
16 one of the things that is causing the concern of the
17 barbers. Meanwhile they go on merrily cutting hair at 65
18 cents a throw.
19 A It might be. It might be a good thing to amend
20 the law that a person could only take so many examinations,
21 if he failed then he was through. I have given this
22 school situation a lot of thought since I have been a
23 member of the Board and it is a thing in which somewhere
24 there must be an answer, but as of right now there doesn't
25 seem to be.
26 Q The barbers coming in from foreign states, we

had I believe some figures on that. I am wondering if you would furnish to the Committee the number of barbers coming in from other states that qualified in California, the number of barbers that are issued a license each year, the number of licensed barbers, a chart of the whole thing that we could have before the next meeting of this Committee on barbers' problems. In fact, I will have Mr. Davis get in touch with you and work it out, with your permission. We are trying very hard to get at the bottom because the members of the Committee agree that the barbers are in trouble and we want to help them.

A Certainly, Senator. I think the Board feels that the barbers are in trouble, but until such time as we have legislation passed that gives the Board the right and the power to make regulations, we have gone as far in the situation as we can go.

I will assure you that any information you want, if you will send somebody to Sacramento, our Secretary-Treasurer will be at your service any time.

He can give you the number of people that come in on reciprocity and the ones that come in through schools, the numbers that pass, the numbers that fail and so on and so forth.

I might also say to you that California and Florida are the two states that are most greatly affected under reciprocity. All the barbers in the United States either

1 want to be in California or in Florida.

2 However, any man that meets the requirements of law

3 is passed and so far as the Board is concerned we never

4 know whether he is from this state or not because his

5 application goes to Sacramento. He comes with his photo-

6 graph and his receipt and his letter and he takes that

7 examination and has the California address on it. We are

8 not interested in where he is from, just so he meets the

9 requirements and standards that we require.

10 Q Do you check to see how long he has been a

11 licensed barber in the other state?

12 A We do not. The Secretary does that. That is

13 one of the requirements of law that he must show that he

14 has practiced in another state with substantially the same

15 requirements.

16 Q The requirements might be modified a little if

17 they knew he was coming to California next week?

18 A No, sir. There are four states that have

19 substantially the same requirements for registered barbers

20 as California. All they have to do is come out with a

21 valid license from that state. That is the job the

22 Secretary has to check that.

23 Persons who come from states who do not have

24 substantially the same requirements are required to show

25 two years experience within the last five years. In that

26 instance, because we feel as though that we shouldn't grant

privileges to people coming into California under reciprocity that we cannot grant to our own people within the state. We don't ask them to meet anything that we don't ask of our own people.

THE CHAIRMAN: Senator Stiern.

SENATOR STIERN: Yes. I would like to ask a couple of questions. Earlier in the day I asked a question about how a survey was taken in an area to determine whether a college should be placed in the area. Now, we have heard some testimony from Mr. Roy Warren -- and I assure you there isn't a more respected barber in the Bakersfield area -- talking about the need, or the economic adjustments that are made there. I know in the code one of the duties of the Barber Board is stated as being in considering whether the establishment of a new barber college in a particular area will be detrimental to the public welfare. The Board shall consider the need for barber college facilities, or additional barber college facilities, as the case may be, in the community where the proposed barber college is to be located, giving particular consideration to -- and it lists several things -- the economic character of the community, the adequacy of the existing shops, and we have heard Mr. Warren say we can only absorb 5 per cent in that area -- also the ability of the community to support a barber college, the economic effect on the community and so forth.

1 Can you give me and the Committee some idea on how
2 your survey was made in that particular school, for
3 example?
4 A That school, Senator Stiern, I might say to you
5 was in effect before this section of the law was amended
6 in 1957 so therefore there was no survey made of that at
7 all. Prior to that all they had to do is file an applica-
8 tion for a barber college.
9 Q This school was in effect before that time?
10 A Yes.
11 Q Where?
12 A In Bakersfield.
13 Q I think the date on that school is later than
14 that.
15 A Well, I am reasonably sure that the Bakersfield
16 school, the application was on file with the Board prior
17 to the effective date. You see this law was passed in
18 the '57 session and became effective I think in September
19 of '58 and that school, the Bakersfield school, the San
20 Jose school and one school in San Francisco, I am
21 reasonably sure the applications were on file prior to the
22 effective date of this amendment that was put in in the
23 1957 session.
24 Q I see. Now, the second question I would like to
25 ask you --
26 A However, I will go on and answer your question

in general.

Q Fine.

A In general, if that will help you. When we get an application for a school, since this section of the law became effective, we go out and make a survey of the district, the number of barber shops there is in that district, the number of chairs there is in the barber shops, the number of chairs that are being used.

Also we check to see if the schools that are now licensed, if there is space in them for more students, and after we do that we look at the community to see whether or not that we think that a school in that community, whether it is the type of people there that will patronize the barber college to the point that the students will get the type of training, enough customers to work on to educate him in the manner in which he is paying for.

Q I have several questions I want to ask you. Several of them aren't too related. One is as a member of the Board I want to ask your opinion about physical examinations of barbers.

I have here the laws of the State of Oklahoma and the State of Oregon which seem much superior in this respect to our own. As a member of the Board do you think the Board would go along with the idea that legislation be introduced, for the public welfare, to require a physical examination of men before taking their examinations and

1 before being placed in the field to do barbering upon the
2 public. Do you think these are good laws?
3 A Senator, I would have to give you my personal
4 opinion. You say a physical examination. If you are
5 going to say a physical examination to be free of
6 tuberculosis or something like that, I don't think the
7 Board would object to it, but if you say a physical
8 examination period, to me so far as public health is
9 concerned you can have a physical examination today and
10 come out O.K. and 15 days from now you might not be in as
11 good a shape as you are now and I would oppose anything,
12 so far as one member of the Board, in making that a
13 regulation for all barbers because I think there is very
14 few states that has that.
15 There is I think 49 states that have license laws
16 and out of that I think there is only three or four that
17 require a physical examination.
18 Q The intent here, of course, is to protect the
19 public against the barber, for example, a man who is being
20 shaved. He is exposed.
21 A That is true.
22 Q In other words, an examination for contagious
23 infectious diseases is what I was really shooting at.
24 A I thought you were only referring to enrollment
25 in schools. You mean in general? Are you referring now
26 to all of the barbers who are practicing today, or the

1 student who is going into school would have to submit to a
2 physical examination before he was enrolled, or is this
3 for the students going into school?
4 Q I assume you know something about neighboring
5 states. Probably you haven't read these recently, but
6 this Oregon law says an applicant will take a physical
7 examination for contagious and infectious diseases before
8 he enters the school, also another one when the Board
9 examines him and passes him before he is able to barber on
10 the public.
11 The Oklahoma law says relatively the same thing
12 except it requires the barber to take the same examination
13 annually after he is a practicing barber.
14 Now, we have very little in this respect. We do not
15 have anything at all. Do you think it is good to do
16 something along that line?
17 A There would be no objection to that. A few city
18 ordinances require that. Pasadena does now. They have a
19 health examination.
20 Q Another question I would like to ask you is: Do
21 you or do you not think that 40 per cent failure on the
22 part of apprentices isn't a relatively high figure of
23 failure? Would this not reflect back upon the instruction
24 of the boys in college? I know that in the field of
25 medicine, if you had a 40 per cent failure rate, you would
26 start looking at your instructors a little closer. Don't

you feel, or do you not feel that this is rather high?

A I don't think it is high, taking into consideration, as we were discussing you have no screening for students. You have people in barbering schools today who do not have the ability to use their hands. It takes them longer to learn, to make their hands work and do the things that they want to do and even though barbering looks like it is a very simple operation, it takes a lot of training and you have to have a lot of dexterity in your hands when you become a barber.

You say 40 per cent. Now, that 40 per cent that you have there is an overall figure. That includes the students who have to take 250 hours more of training before they pass, so overall I think our failures now are running probably around 33 to 35 per cent, but as I explained to you a few minutes ago we find this, that when the schools are loaded up with enrollment, that when they have more students in the schools than they have patrons to work on the failure list will go up because the students are not getting in the amount of practice that they need to come up and do the type of work that we expect them to do when they are admitted to examination.

Q Another question I would like to ask you: Would it not relieve the Board of a lot of its work and obligation if it was a requirement that a new establishment be examined by the State Board of Public Health, for

1 example, the plate in the chairs, the type of antiseptics
2 used, the methods of sterilization, ventilation, and these
3 things which are looked into before a school is allowed to
4 operate?
5 Would it not be more correct that this should be
6 placed under the State Board of Health?
7 A From what experience we have had with the
8 Departments of Health, I would say that we are a lot better
9 off using the inspection which we are using now than if we
10 were to turn the whole thing over to them. Certainly the
11 Board would have no objection to having the Department of
12 Health check a barber college and if there was anything
13 wrong, that they recommended that the Board go and take a
14 look at it to see what we thought was necessary to make
15 the change.
16 Q And the other thing that I wanted to ask you
17 pertains to this State Board examination, because it ties
18 in so closely with the school, or avoid going back to take
19 250 hours. In preparation for this hearing I have visited
20 several of the colleges and I also served as a model on one
21 occasion to observe the way in which the Board gave the
22 examination and I find that many lads came to me with
23 examination slips that pretty consistently show a failure,
24 with a grade of 73, and if one looks through them it is
25 quite common where both examiners come up with exactly
26 the same figure and in my own particular case as a model

1 no shampoo, for example, was applied to me, and amongst
2 the points there is 5 points given towards this.
3 I would like to ask are all these things always done
4 with every applicant?
5 A We have never used a shampoo. The law does not
6 require it. Those grade sheets there, you are looking on
7 the grade sheet where it says scientific scalp manipulation
8 or shampoo, and in our new grade sheets we have taken off
9 "shampoo" because we have never required a person to give
10 a shampoo I don't think since the inception of the law.
11 Q This says "and shampoo".
12 A Well, that is as I just stated, those are taken
13 off of our old grade sheets and the new ones only say
14 scientific scalp manipulations.
15 Q Since one of the major projects in a barber
16 college is the haircut, wouldn't it seem a little odd that
17 when 20 points were allowed to this particular procedure
18 that these men consistently draw 8 points. At random
19 here are three young men who came to talk to me and every
20 one of them has for the first examiner 8 points, second
21 examiner 8 points, third examiner 8 points. It would seem
22 that that would be basic in a barber college and that a
23 boy ought to learn at the end of that many hours how to do
24 a better job than that.
25 Was there something wrong with the college that they
26 couldn't get these boys to learn to cut hair better than

that?

A Probably not anything wrong with the college. I think you will find that the colleges are pretty well supervised. I do say this, I think that we have more colleges in the State than we need. I think there is more colleges than what there is people to support to give the student the amount of training and the amount of practice that he needs.

Q Just a moment. Did you say we have more colleges than we need?

A That is what I said.

Q There would be some question about initiating new licenses then at this time?

A That is correct, yes.

Q Go ahead. I am sorry.

A In grading, we had a person come down one time, since I have been a member of the Board, sent down from the Governor's office. He stayed with us from early morning until late at night and watched every procedure that the Board went through until they dropped the papers in the mail and it came up then for a hearing with the Director, at that time Mr. Arneich was the Director as to the type of grading.

You take and look at a haircut. I may look at a haircut and I take off so many points for this bad taper, off-balance, high outline, poor topping and when I get

through I have got a grade of an 8.

You are a practical barber, you have barbered all your life. You go over and look at the haircut. Basically you will find the things I have, or find something that I didn't find and when you get through that is what you arrive at and the grades between the examiners are never checked until such time as the model is off the chair. Then they are compared with for grades because if there is a wide difference in the various kinds of grades by the examiners, then they go get the model and recheck to see who was wrong.

Q These grades of these two examiners on these particular papers are identical down to the tenth of a point. On the written examination, for example, written examination, laws, rules and theory, 20 points to that, one examiner gives 17.5, the other examiner gives 17.5.

In this particular one the same thing is true with the same score 17.5, 17.5 and every item is exactly the same on the slip. I mean do the examiners see these things that close?

A On your written portion of your examination you have 40 written questions. Each question is worth one-half point. So naturally if you get 17-1/2 on his written, he only missed 5 questions and a lot of them -- not a lot but quite a few write a perfect paper, which would give them a top grade of 20, but those are things the Board has

nothing to do about. You give them the paper. They sit down and do their written. One person supervises. One Board member supervises that. We rotate from the written and oral on to the floor and back and forth, in other words, the way we are working now it is every other day that I am on the floor, but those written questions are records in the office that any person can go check if they want.

SENATOR STIERN: Thank you very much.

THE CHAIRMAN: Senator Slattery?

SENATOR SLATTERY: Mr. Luckey, you were at one time a barber?

A Yes. My father was a barber and I was practically raised in the barber shop. I started barbering in California in 1924. I was appointed on the Board in 1947. I had my own shop all the time.

Q Is the position on the Board Civil Service?

A Appointive.

Q A political appointment?

A That is correct.

Q You supervised these fieldmen?

A The Secretary supervised them and he is responsible to the Board.

Q Now, do you know Mr. George Smith?

A I know Mr. George Smith very well. I watched him go through barber college, go into a barber shop,

complete his apprenticeship, become a barber and I had the pleasure of interviewing him for an investigator and I might say he is one of the best ones we have.

Q Is it one of your duties to go around and trap people into giving him a free haircut?

A I might say that is one of his duties. When we get written complaints in from barber organizations and from people that there is an unlicensed barber practicing in any certain area, we delegate one of our men to go out and make an investigation, either to employ somebody to go get a haircut or to go and get it themselves.

Q Mr. Luckey, who supervises these examinations, the fieldman or the Board examiners?

A The Board of Barber Examiners have everything to do with the examination, the three Board members. The three Board members give all of the examinations for all of the applicants in the State.

Q Wouldn't you say considering the testimony we have heard here about a great number of graduates from the schools taking these examinations that you people, you three are spreading yourselves a little thin on this?

A Well, I don't know what you mean by spreading ourselves a little thin. What would you mean?

Q Don't you think that there are some more people needed to give these many examinations that must be given along with the other duties that you have?

A I might say to you that we are the only full-time Board in the whole Department. We devote our full time year around to examinations and hearings. This year I think we will probably have given around 4,000 examinations.

Q Do you consider giving that many examinations, can you go through these 10 criteria on every one of these applicants, every one of these examinees and see that each one of these 10 criteria is graded on by personal observation?

A Yes, I would say you can. You put eight applicants on the chair at a time and after your first round in the morning they will alternate to one maybe will be shaving, another will be cutting hair and another will be giving a rest facial.

I would say that the Board does watch each of those operations and you do not grade the haircut until such time as the man completes his work, calls time. We take his time off the chair. Then we go over and check his haircut.

We check to see whether or not he has given a clean shave or whether he has left beard on the shave and at that time they are given their complete check on their haircut and their shave and their other grades, the rest facial and scalp manipulation.

Q Now, we have testimony here both from Senator

1 Stiern who acted as a model, and from one or two of the
2 apprentices taking the apprentice examination, that one or
3 two or more of these criteria were not used in their
4 examination and yet they were graded and had they been
5 graded the 5 points , this particular one that I am
6 looking at here would have passed the examination, but he
7 was not asked to do these two things and he was graded
8 down on them and just enough to see that he didn't pass
9 the examination.

10 A Either you misunderstood his statement or I did.
11 I think that if you will look at his grade sheet that he
12 submitted to you, it will show that he was graded on each
13 of the 10 subjects because he took an apprentice examina-
14 tion. The barbers are graded on 9 subjects, the student
15 is graded on 10 subjects.

16 You will find that he was given a grade on each
17 subject and so far as the Board not observing him, we
18 have been accused of being too observing to the point that
19 watching them too closely makes them nervous and any time
20 a student does anything wrong on the chair during the
21 period of his examination we walk over and tell him that
22 "You are doing this wrong."

23 The students who have gone through school will
24 invariably get up there and in their manipulations they
25 will rotate backwards. You go over and tell them "Now,
26 you have been taught different. Which way were you taught?"

"Oh, the other way." We never grade them off for that because we are reasonably sure they have been taught and they know it but under pressure once in a while they forget.

Q However, Mr. Luckey, I still would make the point, and not on Mr. Covington but on another one, that two of the criteria were not used. The examination was graded 73 points and graded down 1 point on one of them and 1 point on the other and had he been given the 5 points on each of them he would have obtained a grade of 75 points. Now, I think that maybe you people don't have enough assistance to give these examinations, or we are having too many applicants for examination or there is something that needs a change. We will talk particularly about your job, on the method of giving the examination. I just don't believe that you can do this sort of thing for 4,000 students with three people and I assume that there are a considerable number of other duties that you have to perform also.

A That is true, we do. We sit on all of our own hearings.

SENATOR SLATTERY: I have no further questions.

THE CHAIRMAN: Thank you, Senator. I have one more question. When an applicant takes an examination he does not have a right of appeal, does he?

A Doesn't have a right of appeal?

Q Yes.

A I couldn't answer that. You say right of appeal. Any applicant who takes our examination can go to Sacramento and review his examination, review his papers, anything he wants to see. He cannot take them out of the office.

Now, when you say right of appeal, if you mean that the Board should admit him to re-examine him, no, we do not do that. Whether he could do it or not, you would have to change the law I think to do it.

Q That is what I mean.

A Your law says that a student if he fails an examination he must go and take 250 hours.

Q Yes?

A The barber if he fails the examination, he has to put in six months more training. A barber under reciprocity, if he fails he can turn around as soon as he gets his results and file another application.

Q Well, really, if he fails, he cannot take the examination immediately?

A That is as I say, there would have to be a lot of changes made in the law before that would be permitted.

Q It might be something for you to think a little about before the next hearing, whether that would be worthwhile or not.

Any further questions? Senator Coombs?

SENATOR COOMBS: No.

THE CHAIRMAN: We will take a 3-minute recess at this point and on our return we would like to hear from the schools. We will stand adjourned for three minutes.

(Recess.)

THE CHAIRMAN: The Committee will be in order.

At this point I would like to call on the California Barber College Association, Mr. L. Sherman Trusty, Secretary-Treasurer and, Mr. Trusty, you can do what you wish at this point.

MR. RINEHART: Mr. Chairman and gentlemen of the Committee --

THE CHAIRMAN: Just a minute. You are --

MR. RINEHART: Jay D. Rinehart. I am one of the attorneys for the Association and Mr. Trusty thought that I had better assist him in helping unravel all of the intricacies of the facts presented.

THE CHAIRMAN: You will raise your right hand --

MR. RINEHART: I will not testify. I will just assist him.

THE CHAIRMAN: I see. Will you be sworn.

L. SHERMAN TRUSTY,

being first duly sworn, testified as follows:

MR. RINEHART: Now, if your Honor please, in anticipation of this hearing, and in line with Senate Resolution 105, Mr. Trusty prepared some memoranda which he chose to use in evidence here.

Now, I have five copies of it and I would like to present these for guidance in evaluating Mr. Trusty's testimony. There will be some matters that we will want to answer in the material which has been presented this afternoon, but I think you will find in the memoranda which Mr. Trusty has prepared a great deal of factual material which will be of assistance.

I have been greatly interested in this meeting here this afternoon. It has run the gamut of emotion and fact and everything else. Of course, being a lawyer, I was interested in the grandfather clause.

THE CHAIRMAN: Now, at the outset, you stated that Mr. Trusty was going to be the witness.

MR. RINEHART: That is right. I just desire to call attention to this one provision of Section 6546.5, the grandfather clause. The grandfather cluase was enacted evidently in 1959, but by reason of a clumsy statement it has been held not applicable.

It says "Any person applying for a certificate of registration on or before December 31, 1959 need only have

an 8th grade --"

SENATOR SLATTERY: May I interrupt.

THE CHAIRMAN: Yes.

SENATOR SLATTERY: I think that the gentleman here is testifying because he called that a clumsy statement. I think he should be under oath.

MR. RINEHART: I will be glad to be sworn.

JAY D. RINEHART,

being first duly sworn, testified as follows:

MR. RINEHART: Of course, being technical I can see how the Board applied the amended section because the amended section is contradictory. It says where one applies for a certificate after January 1st, 1960 he shall have completed the 9th grade. The later portion of the section says "Any student enrolled in any approved barber college prior to January 1st, 1960 shall need to have completed only the 8th grade."

Now, had this section said at the beginning "Except as otherwise herein provided" we would be all right, but applying this section technically it is quite apparent that it is the date of making the application that has been held to control and to make the 9th grade applicable. Whereas, it is quite clear in the intent of the Legislature in amending this section to make the section non-retroactive and to permit anyone who had completed his

courses prior to January 1st, 1960 to take the examination even though he did not have the 9th grade. I hope that will clarify the thinking of the Committee on the matter of the Legislature on the grandfather clause.

The Legislature tried to fix it but didn't.

Now, Mr. Trusty, how long have you been connected with the California Barber College Association?

A 26 years.

Q And before that were you a barber?

A I was a registered barber prior to that.

Q For how long a time?

A Nine years prior to that time.

Q You are now conducting a school in Pasadena?

A Yes.

Q How long have you been conducting that school?

A 26 years.

Q Mr. Trusty, you have presented through me to the Committee here some memoranda in which you have set forth your answers to the matters mentioned in Resolution 185. There are 10 pages, each are numbered.

Calling your attention to Page 1, would you just please give us your comments on that, if you have anything additional to present. Perhaps you had better read it.

A Mr. Chairman and members of the Committee, the first complaint pertains to the excess of the number of practitioners, the number of which cannot be absorbed in

the trade. A study of the relationship of the number of licensed practitioners to the population shows that there are about twice as many persons per barber in 1960 as there were in 1930.

You will turn to the second page of this memorandum and you will see some figures compiled by my C.P.A. which show that in 1930 there were 18,171 practitioners. The population in 1930 was 5,677,251.

Now, the picture in 1960, in 1960 there are 25,695 practitioners with a population of 15,337,431.

Now, percentagewise this means the number of barbers has increased 41.4 per cent. The population 133.68 per cent.

In other words, in 1930 there were about 300 persons per barber. In 1960 there are about 600 persons per barber.

It would seem on that basis that we are not turning too many barbers out into the industry.

They are finding employment. I have here some clippings from newspapers throughout the State. Now, in one of them here to my left there are 72 jobs listed in one day's listing. I have sufficient copies for each member of the Committee of these various clippings, nearly all of these clippings, in which you will see a large number of jobs advertised for barbers. Judging from the newspapers there is a big demand for barbers today.

Now, on the other complaint that the barber colleges

are operating in direct competition with licensed barbers. Well, it has been stated here this morning that we are turning out half-trained and mediocre barbers. Somewhere between the beginning and graduation they must be less than half-trained or mediocre. To what extent could such less than half-trained, and less than mediocre barbers be in competition with a competent barber?

Who patronizes the barber college? Some of those customers are what we might call winos. Some of them are patrons who are pensioners and cannot afford to go to the better barber shop.

Those with whom we are actually in competition are the hose haircutters. Now, to some small degree we are in competition with the cut-rate barber shops, but the union barber frowns upon the cut-rate barber shop. The person who can afford to go to the barber shop would not be seen getting service at a barber college.

Another complaint, the barber colleges are using free labor without taxable payrolls. The payrolls of the college are taxable and the payroll applies, of course, to managers, assistant managers, and instructors, secretaries, janitors and so forth.

The free labor, there is no free labor as such in barber colleges. Students to practice on human beings. Cosmetology and dental college students also practice upon human beings.

Students cannot learn such a trade as barbering by merely reading a book.

Now, as to paying the students wages and commissions. Those who were in favor of that have failed to take account of an attorney-general ruling No. 223, and a Board ruling No. 220, which prohibits the barber colleges from giving commissions to the students.

If students were put on the payroll it would change the rate of tuition considerably. The last rundown showed that 41 per cent of the operating expenses were met by tuition.

Now, if wages are to be paid then the tuition would have to go up considerably.

I would like to come back again to this half-trained and mediocre trainees complaint. The Committee I think is well aware of the fact that the colleges in California, barber colleges are licensed by the State Board of Barber Examiners. The instructors are licensed by the State Board of Barber Examiners. Cities also require licenses of these colleges and they are required to have health permits.

Now, these schools are regularly inspected by the State Board agencies and by a department of the State Board of Education, namely, the Bureau of Readjustment Education, which is the approving and supervising agency of the government for barber colleges training veterans.

So we have two agencies which inspect regularly. Now, the barber colleges realize that we may not have a perfect program, but we are continuously improving it to the best of our ability and the last few years we helped sponsor a law to require instructors to pass a State Board examination and to be licensed.

In 1955 it was the schools that sponsored a bill to increase the length of the course, nearly 25 per cent, raising it from 1,000 to 1,248.

In 1959 we did not oppose a bill to raise the education requirement from the 8th to the 9th grade. So it would seem that we are doing something to keep our schools up to date.

Now, we are not offering the public a finished barber. We are giving the public an apprentice who must continue his study for a further period of 18 months under the supervision of a registered barber. It is after the completion of that 18 months that he is eligible to take an examination for a registered barber license and own and operate a shop, but during that apprenticeship he is very much in training under the supervision of registered barbers.

Since the schools are operating in conformity to State laws and regulations, and under the inspection and supervision of the State Board of Barber Examiners, and a department of the State Department of Education, I think

it is reasonable to assume that they are not conducting schools that are detrimental to the industry.

It is further contended that the schools are unfair to a vast majority of students enrolled. We do not promise employment. We promise them assistance in obtaining employment and there is no charge for such assistance.

I have a list here which I can submit showing the number of persons from the same family that have taken the barber course at the same college, as many as four from the same family at various times have taken a barber course in the same college. Well, if they had been, if the college had been unfair to the original enrollee, I don't think he would have recommended his brother or his father.

Now, I would like to turn to Mr. Rinehart as he has some specifics I believe concerning the things said by the various witnesses that are not covered in the general answers to the complaint.

MR. RINEHART: Mr. Trusty, the question has been asked. What are the fees of the school?

A The tuition fee is $300 and there is a discount for cash.

Q Is that a uniform fee?

A That is uniform in the State.

Q In addition to that is the student required to obtain equipment?

A Yes. He must own his own equipment, but he may

1 purchase it wherever he pleases. If he buys it at the
2 college there is a uniform price of $19. This includes
3 not only implements, but textbooks and smocks.
4 Q Now, this hand clipper has been mentioned in the
5 hearing today. Is the hand clipper a part of a barber's
6 equipment?
7 A By act of our school association it was taken
8 out of the list some time ago. It might be that some
9 particular school who has a feeling for its use is still
10 issuing it, but a majority of the schools in the State are
11 not issuing a hand clipper.
12 Q Now, the question has been asked what do the
13 schools do in regard to screening of students particularly
14 to determining a past criminal record. What is done in
15 that regard?
16 A Well, something very definitely is done in that
17 regard. First, of course, may I give you more or less the
18 complete picture.
19 The applicant as to age must be at least 16 and he
20 must show at least an 8th grade education or its equivalent
21 as determined by appropriate agent. Now, if he is under
22 21 -- incidentally, he must be accompanied by a parent or
23 a guardian.
24 As to screening we depend entirely at the present
25 time on general observation. We check as to whether he
26 has all of his fingers, whether he has reasonably good

eyesight and general things of that nature. We would not enroll anybody that we do not think was qualified.

Q What inquiry do you make as to his past criminal record?

A Pardon me. Yes, if he has been guilty of conviction of other than traffic violations he must fill out a form which is furnished by the State Board stating in detail what his record is.

Q And after a student is accepted, is any report submitted to the State Board of that student's record?

A Immediately upon enrollment the college is required to file not only a notice of enrollment but also a copy of these violations on a separate sheet so the Board knows immediately what the story is.

Q The question of sanitary regulations has been mentioned. Do the colleges follow any sanitary regulation and if so what?

A We follow the sanitary regulations as specified in the Department law and the State Board regulations, the same as are required of barber shops.

Q As to health regulations, the question has been asked as to whether or not health regulations are required or health requirements imposed.

A Well, of course, neither the State law nor the State Board have set any health requirement examination for either entering a barber college or receiving a

1 certificate so we do not have such a requirement, but we
2 would not knowingly enroll anybody who has an infectious
3 or communicable disease.
4 Q Have the colleges made any effort to get health
5 regulations into the law?
6 A Yes. On a few occasions, myself as representing
7 the barber colleges at a joint meeting of the barbers
8 union, the master barbers and the barber school, we proposed
9 that we would attempt to get some kind of legislation
10 requiring a health certificate of applicants and on all of
11 those occasions representatives of those two organizations
12 were against such a bill. I feel that the schools would
13 still be in favor of such a bill.
14 Q Now, the entrance requirements are what?
15 A Minimum age 18. Minimum education 9th grade.
16 Q How many students, what percentage of students --
17 THE CHAIRMAN: Pardon me a minute. The 16, didn't
18 you mean --
19 A 16.
20 MR. RINEHART: You said 18.
21 A I meant 16. Thank you.
22 Q That is what I thought. How many would be of
23 the 16-year class in percentages?
24 A Well, I can't give you the exact percentage,
25 but a comparatively small percentage. I visited one
26 school this morning and found only two students enrolled

under 18. One of whom was my son, incidentally.

Q Now, these requirements for entrance, have they been increased during recent years?

A All except the 9th grade which is new since 1959.

Q The matter of shaving has been mentioned. What percentage would you say of the barber business relates to shaving?

A Well, I will hazard a guess about half of 1 per cent.

Q But is that instruction given?

A It is definitely part of our curriculum.

Q Reference has been made to numbers of chairs and number of students enrolled. Is there any relationship between the students enrolled and the number of chairs?

A Yes, there is a very definite ratio. The school never has enrolled more than one student per chair for any given shift.

Now, here is where the misunderstanding may have come this morning by the witnesses. There are different shifts. There is a daytime shift and an evening shift, so a school with 25 chairs could have 50 students, but would not have more than one student assigned to a chair at any given time.

For example, the day shift, the 25 would sign off and the evening shift 25 could sign on. When you have 50

1 students and 25 chairs, it does not mean more than one
2 student is assigned to a given chair at any one time.
3 I don't believe that situation exists anywhere in the
4 State. I mean namely that more than one student is assigned
5 to a chair at any given shift.
6 Q What supervision is given to the students while in
7 the schools?
8 A An instructor on the floor at all times and in most
9 of the schools there are two instructors and the instruction
10 is voluntary on the part of the instructor and it is also
11 given at the request of the student.
12 They are there constantly supervising and helping the
13 students to learn the trade.
14 Q How many inspectors or instructors are assigned to
15 any given group of students?
16 A That will vary somewhat. The number of students
17 shall not exceed 25 per instructor, as the Board regulation
18 states, but I think that the colleges generally have a
19 better ratio than that, I mean a lower number of students
20 for instructors.
21 Q What relationship exists between the colleges and
22 the Bureau of Rehabilitation in California?
23 A We have a very definite relationship with the
24 Bureau of Rehabilitation. They are constantly, as you know,
25 trying to rehabilitate students and those whom they send to
26 us have been approved by their training officer.

1 If you would like me to comment on the age --

2 Q Yes, can you give us the age of the enrollee of

3 this classification?

4 A We found that the Bureau is very disfavorable

5 towards a maximum age for entrance into barbering. In my

6 opinion, I have attempted to set an age of 40, and they

7 objected to that and we have set one at 45 and they objected

8 to that and we have gone along with them on the ground that

9 every individual applicant should be considered individually.

10 It depends a lot on the individual, how well preserved

11 he is, what he has done most of his life, if he has

12 developed finger dexterity and is 50 years old or older

13 perhaps he can use that same dexterity to become a good

14 barber.

15 Q Now, part-time employment has been referred to.

16 What percentage of enrollees would be part-time employed?

17 A I don't have the exact percentage on the number

18 of part-time enrollees. I know there is a large percentage.

19 I am going to say between 30 and 40 per cent as a guess of

20 the enrollees are part-time students. They are students

21 who are either going to public schools or having to work or

22 are employed, so this gives them a chance to learn a trade

23 part-time. There has been some objection to that this

24 morning, but I think they should talk with some of the

25 applicants and see how eager they are to become barbers

26 and I think they would change their mind and we should not

deprive the person a right to try to learn a trade on a part-time basis which is a commendable thing.

Q What about the age range of part-time employment?

A The age range I think it would fall in the latter 20s there. These are the fellows who are married and have employment and are turning to learning a trade which they formerly wanted to learn and for some reason didn't do it. I am not sure that I understood your question.

Q What I had in mind particularly are any youths of 16 or 17 years largely interested in this except those in regular public school?

A I think that would be almost exclusively the case. Those interested would be those attending school and it is rather interesting to note that nearly all of those under 18, that is 16 and 17 are barber's sons and they sort of count the days until their son is old enough to enroll in the barber school.

Q Now, upon completion of the course is there a certificate of proficiency or graduation given?

A There is a diploma issued by the barber colleges. I am not aware of any college that is withholding that diploma to a student who has completed the course in accordance with the California Barber Law and regulations.

I think you also referred to a certificate issued by the Barbers Board. If the student passes the examination for an apprentice license, he is given an apprentice license

which in a sense is a certificate of proficiency because he has proven to the Barbers Board that he is capable of serving the public.

Q Do the colleges issue a certificate of graduation in advance of passing the Board for the apprentice license?

A Yes, we are required to do so. The Barber Board does not accept someone to examination unless he presents a document stating that he has completed the required number of hours and that he has completed the minimum number of services for graduation. That is he must complete a certain number of haircuts, a certain number of shaves, shampoos and so forth.

Q Before issuing a certificate of graduation, what do you require of a student?

A For a person to complete the number of hours he must complete a minimum number of services to be performed and pass a final examination from the school.

Q In regard to those who do not pass the first examination for an apprentice license, do you know what per cent of rejections there would be?

A Not 40 per cent. This 40 per cent should be broken down. It does not apply entirely to students taking the examination. Taking the examinations are three classifications of applicants: One, the out-of-state barber who is there and could be without training, or just taking the examination without any special preparation.

There is a California apprentice who has served 18 months. He is the second classification and there are the students. So out of that 40 per cent who are failing I cannot give you an exact figure, but I am going to assume, or going to guess that they would probably be 20 to 30 per cent, maybe not quite that high.

Q Then in the event of a failure to pass the examination, is further instruction offered the student?

A Yes. If a student fails to pass the examination for an apprentice license, he must complete an additional course of 250 hours before he may again take the examination for a license.

Q The question of price for service has been brought up. What is the price in the barber colleges for a haircut?

A The 65 cents spoken of, close to the average price except you will find that it is 25 and 35 cents in the junior department.

Q How does this price compare with the price of the union school at Indianapolis?

A In Indianapolis they must have a little better deal. They charge 75 cents for a haircut.

Q The matter of advertising, is the matter of price for services inserted in advertising of the college?

A No price for services is included in the advertising according to, at least the California Barbers

1 School Association is on record as disfavoring that.

2 We had a school that did this but discontinued it

3 upon advice of the Association. We do not advertise the

4 prices of services to the public.

5 We do that not because we think we are not entitled

6 to do it, but we think it creates a little better feeling

7 among barbers. There are some slight violations of that

8 but the Association is always glad to look into it and

9 attempt to correct it.

10 Q What do the colleges do in regard to announcing

11 that all work is done by students?

12 A The colleges are required to post a sign at the

13 entrance stating "Barber college. Work done exclusively

14 by students." That is a law requirement.

15 Q I believe you said that tuition only covers about

16 41 per cent of the cost of operation; is that right?

17 A That is right.

18 Q And the balance of the money comes from receipts

19 for services?

20 A Yes. There is a small income from tools and

21 implements and so forth, but primarily from services to

22 the public.

23 Q Now, mention was made of an advertisement at

24 San Jose, do you know about that?

25 A Yes, I do. I know exactly the story there. It

26 was a typographical error, or an error on the part of the

newspaper and as soon as it was brought to the attention of the owner, Bert Laws, he immediately corrected that and if you will recall that clipping was two years old. I believe Mr. Agrillo read that.

Q From your experience in this field, do you feel that the barber college is doing a good job?

A I feel that we are doing a good job and we are continuing to try to improve the job that we are doing.

I might say I was President of the National Association of Barber Schools for four years and I have visited barber schools throughout the United States. I believe the barber schools in California are the best.

Q I believe you have testified that the colleges would favor any fair and adequate health regulation both as to students and as to those in the active field; is that right?

A I am sure they would be still of the same opinion and if it applied to the applicant for a license, I think it should apply to the applicant who is entering the barber college too, because he also is going to serve the public and the public is entitled to that much protection.

MR. RINEHART: Now, does the Committee have any questions of Mr. Trusty?

THE CHAIRMAN: Senator Slattery?

SENATOR SLATTERY: Yes. Mr. Trusty, do you have any idea as to how many graduates of the barber college remain

in the profession for any length of time?

A No, Senator Slattery, I do not. We have statistics that have been arrived at from my Association, if you would like that.

Q You made the statement that you felt that you did not compete with the regular barber, because of the fact that you have solely students doing the work, that this type of service would only appeal to and I quote from your answer to complaint No. 2, persons who are the bums or winos and some other patrons or pensioners.

Now, I note that in this, in conjunction with this we have the classified section from the newspaper in Fresno and under "Barbers" there are a great number of them, and I will show you this if you would like to see it, they go all the way down and in there we have the Moler Barber College. They are advertising themselves as a barber shop because they are put under the heading of "Barbers". So I assume that they want the business of cutting hair and shaving people.

A Well, Senator, I am not familiar with that. I would say that is a misclassification. I think barber colleges should be classified as barber colleges, but the other part of your statement I would like to comment on.

The college cannot exist without patrons. Shall I state it another way? The students cannot learn the trade unless they have somebody to practice on and I think that

where our advertising is of an ethical nature that we certainly feel we are entitled to advertise for business the same as any other business.

Q Well, do you think,Mr. Trusty, that the winos and the bums, when they want to get their hair cut, that they look in the classified sections of the telephone book?

A Well, I will answer it this way: I don't think that he would see it. If he did, he couldn't read it.

Q You made the statement, I believe, Mr. Trusty, that in your opinion a great majority of all barber colleges in the State of California are operated on a very ethical basis and if there were, at least you gave the feeling that there could be a very small segment in the industry, of schools who might not just be as ethical as they possibly could 100 per cent in time. Now, granted a very small segment, but this is a possibility, is it not?

A Yes, Senator. I wouldn't want to bring you a picture of perfection. There might possibly be something going on that could be corrected and I think that along with my Association I would be one of the first to see that it was corrected, but by and large I think the colleges are well conducted, well supervised, and are doing an admirably good job.

Q Well, would you think then, Mr. Trusty, that there would be any objections from the barber colleges themselves for some tightening up of the laws, some

1 legislation which would prohibit some of the practices
2 mentioned, the allegations that have been made that these
3 practices were in evidence. It is tightening the things up,
4 is that right?
5 A In essence I would agree, but I would not agree
6 that all the allegations made here today are substantiated
7 by facts or evidence, so I wouldn't buy all the allegations
8 that have been made.
9 Q Oh, no.
10 A But if there was one that was justifiable, and
11 evidence to prove that a wrong condition existed, certainly
12 I would lend my cooperation and I am sure my Association
13 would to correct it.
14 Q You stated that you in this lack of competition
15 that you have with the legitimate barbers, that you do not
16 advertise as cut-rate, and I think that you have excused
17 yourself from this particular one here which says "Moler
18 Barber Shop, Haircuts 65 cents, Shaves 25 cents"?
19 A May I ask the date of that?
20 Q That is in May of 1958.
21 A It was about 1958 when the Association passed a
22 regulation applying to its members that no prices be
23 advertised through any media, that is prices for services
24 be advertised through any media off the premises of the
25 colleges.
26 Q Continue.

A That is all.

Q I have here an exhibit C which I don't know who gave it to the Committee, but you probably remember seeing, this is a garbage can, I believe, which it says "Learn barbering and enroll now, Associated Barber College, San Diego," and then it seems to be the focal point, that is carefully supervised barber service to the public at reduced rates. Now, of course, technically you might say that is not advertising at 25 cents a shave, but I think the public certainly gets the idea that a bargain can be obtained inside.

A Senator, I agree with you and the Association at this point did step in. I know exactly. This picture was mailed to me by a member of the Barber Association and the Association immediately took steps and we have a written statement that it would be discontinued. First, we objected to being put on the garbage can and second we thought that the ad was slightly misleading.

Here again I wasn't bringing to you, as I said, a picture of perfection, but a very good and admirable picture.

SENATOR SLATTERY: That is all I have, Mr. Chairman.

THE CHAIRMAN: Thank you, Senator Slattery. Senator Coombs?

SENATOR COOMBS: When a candidate completes the course, he has an examination; is that correct?

A Would you mind restating that, Senator. I am sorry.

Q You say when your candidates complete their courses they take an examination?

A That is correct.

Q It would be oral, written and physical, I suppose; in other words, he cuts hair or does something like that?

A Yes.

Q Have you a copy of any of your examinations, the written part that they have to take in and answer? I would like to see one of them.

A So would I, Senator. That is regarded as confidential matter of the Barber Board. The schools are not furnished with copies of the examination.

THE CHAIRMAN: Just one second. I think, Senator Coombs, you folks are talking about two different things entirely. I think what Senator Coombs means is do you folks give an examination upon completion of the course.

SENATOR COOMBS: Yes.

A Yes, Senator, I can answer that.

THE CHAIRMAN: For instance, would you give a sample course that might be useful to them in taking the Board examination?

A Yes, that is the review or final examination which we consider to be very similar to that which the State Board gives.

Q A mock examination?

A Yes, it is sort of a mock examination and I will be glad to mail copies to the Committee upon request.

SENATOR COOMBS: Thank you.

THE CHAIRMAN: The Board I believe specified a number of haircuts that a student must take during the time that he is a student?

A Yes. There is a lot of regulation. The student must perform a specified number of haircuts, shaves, and several other services. I have a copy of this if you would like it.

Q We would like to have one. You might for the sake of the record read that.

A All right. These are the minimum services required for students graduating from barber college, completing 1,248-hour course, haircut 550, shaves 150, shampoos 25, tonics 10, roll cream massages 15, scalp treatments 20, facial treatments 15.

SENATOR COOMBS: Just a minute. On the facial treatments is that for men or women?

A For both, senator.

Q Go ahead.

THE CHAIRMAN: We assume everything would apply here to both men and women; is that correct?

A That is right.

MR. RINEHART: Except the shaves.

THE CHAIRMAN: Except sometimes/a shave is necessary too.

A Only one in 26 years.

Q Do you keep any record of the number of haircuts?

A Yes. We not only are required to do so, and we do keep records, the student has a duplicate and, yes, we keep a definite record of all services performed.

Q As a rule do they perform more haircuts than actually are necessary?

A I don't like the word necessary, but they perform more haircuts than the minimum number required. What is necessary might --

Q Required rather than necessary.

A All right. Yes, they do.

Q On the average how many?

A You have me in a guessing area again but I will say 250 more.

THE CHAIRMAN: Do you folks have any further questions?

SENATOR STIERN: I have a few I would like to ask.

THE CHAIRMAN: We want to reserve a little time if necessary for the Associated Master Barbers, however you go ahead, Senator Stiern.

SENATOR STIERN: Some of these are not connected with you. They are things I would like answers to because Mr. Trusty is an experienced barber college operator. I would like to say first are you speaking for your own schools or are you speaking for all schools in California in these

statements you have been making?

A I am representing all of the barber colleges in the State.

Q The first question I would like to ask you: Would you care to comment on the mention of schools being advertised together, although under separate ownership? I am not going to require you to answer that but I wondered if you wished to answer that. There was some comment about two sets of schools advertised in the same advertisement.

A Yes. There is nothing to cover up there. The two schools you have in mind share an ad jointly because they are very substantially the same name, and they are congenial competitors and decided that that was a good thing to do and we believed it is ethical.

Q The second question I would like you to answer, isn't it true that if an instructor is giving barber services behind a chair in a barber college, this is in violation of the code, is it not?

A Only to the extent that he would complete a given service. He is not allowed to perform a service independently, but he may assist the student in demonstrations of any service.

Q But under the code in a shop he is not allowed to go behind the chair and give the man a complete haircut?

A That is correct, that would be a violation.

Q A violation of law?

A Yes.

Q You mentioned you gave a diploma or a notice of completion of the course. Now, I understand this is not true in the Bakersfield College. Is this universal or is it just in some schools where they give that?

A That is uniform throughout the State. To restate, the Barber Board requires a letter of graduation by an applicant before he is admitted to examination and that letter must show the number of hours completed and the minimum services performed. I am afraid the young man up here this morning didn't quite understand his answer.

Q Are you in disagreement with Mr. Luckey when he made the statement that he felt that there were enough colleges at the moment and that no more were needed for the time being? I ask you that because in your leadoff statement you mentioned a population curve between a number of barbers and the number of people in California, indicating that there was not a saturation point. Are you in accord with that or not? You have a right to your own opinion.

A I do not think that we have too many colleges at the present time. Let's review just a moment what has happened here. It was stated that there were nine in 1927. In 1940 there were 12 barber colleges. In 1950 there were 17. Now in 1960 there are 23. Incidentally, please note

23, not 25. It has been misstated here this morning.

Q Would you have any objection to a minimum requirement being a high school graduate for entry into the barber college?

A Yes, I certainly would and I am speaking here for my Association too and also with knowledge of how the Bureau of Rehabilitation looks upon this. We feel that the learning of barbering is largely a matter of hand and mind coordination. It is what you do with your hands. It is a repetition type of service and no formal education is necessary, even a basic 8th grade we felt was sufficient. I think all he has to do is speak a little English and use his hands well and he can be a good barber.

Q You made the statement that you did not promise employment or did not indicate that employment would be secured; is that correct?

A I am not aware of any school promising employment. Some of us say our graduates are in demand, or jobs are plentiful.

Q This ad here says "Never be unemployed. American Barber College." Wouldn't that infer that you just would always be employed?

A Well, I think there is a strong element of truth here that we don't know of any unemployed barbers. There is just no unemployment to the knowledge of my Association, but I would grant you this that it might be better to word

that in some other way and say "Barbers in big demand" or something like that. A slight correction there might be in order. Senator Stiern, may I go back to the number of colleges for just a moment?

Q Yes.

A I would like to speak also as to what happened in the beauty colleges in 1950. I don't have the figures prior to that. There were 51 beauty colleges in California. In 1960 there were 127 beauty colleges. That would be interesting to associate with the number of barber colleges that are in the State.

Q The subject of screening seems important to me and you have touched on that in one part, but when the State office states that there is nothing in the law except that the person be 16-1/2 years of age and a 9th grade education, it seems to me this is pretty lax and I don't see how an individual barber college could determine whether a person was mentally handicapped or physically handicapped or in good health or what his mental ability would be to pick up a course. I mean how do you determine whether he can read your book and understand it, for example?

A That is an interesting question. I would say that if he meets the education, 9th grade level of education, we assume by that evidence that he has sufficient education to learn the course of instruction. Now, as to

what he is going to be able to do with his hands we frankly do not know, neither does the boy know, but it is pretty hard to look at the boy and say "You will" or "You will not make a barber," or "Your hands are too big," or "They are too small."

It might be that we should have some operational, or a screening test of our own. We are not required to have any by law or Board regulation at the present time so we are violating neither one of those documents.

SENATOR STIERN: Thank you.

THE CHAIRMAN: Do you believe that an adaptability test of some kind on the theory, of the hands and so on, such as dentists receive might be considered?

A I think it is possible to consider. I could say that my Association would be willing to meet with the Committee to draw up such a screen test.

Q One statement you made on beauty colleges. Men and women, I shouldn't say this, but you can start a new deal on hairdoes and you could double the amount of cosmetologists overnight. Isn't it a different situation with colleges? What qualifications are there for your instructors beyond being journeymen barbers?

A It must be a registered barber, another way of saying journeyman barber or master barber, must have had two years of experience as a registered barber and passed an instructor's examination conducted by the Board of

Barber Examiners.

Q Are there any additional educational requirements?

A No, none at all. Possession of the registered barber's license, assumed he has met the minimum requirements in effect at the time that he obtained it. It is pretty treacherous ground to conduct these tests. I am informed by a vocational expert that these aptitude and adaptability tests are not too reliable when it comes to applying them to a trade to learn with the hands and I would hate to see these boys deprived of the right to try to learn, and they are not charged for any more hours than they complete. If they come in for a few weeks and find that they can't --

Q That was somewhat of a thought on my part. Before the next session of the Legislature we will have another hearing on this. Perhaps all of these things that have come up are something for you folks to think about, the Barbers Association to think about and all down the line. We hope that there can be somewhat of a meeting of minds before we go into a session. I don't know whether that is possible, but it is certainly desirable on our part. Do you have anyone else?

A No, Senator. I think Mr. Rinehart has another note that he would like to comment on or ask me to comment on.

MR. RINEHART: The only matter was as to the conviction

of crime as disclosed in the affidavit of each and every applicant. The present regulations, as far as screening, requires that every applicant sign an affidavit. I think Mr. Trusty touched on that, but that affidavit must be completed and signed and verified and sent to the State Board.

THE CHAIRMAN: You mean as to whether he had been convicted of a felony?

A Of any moral turpitude.

Q I see.

A It doesn't say felony. The old law did state felony but now if he is convicted of any offense involving moral turpitude.

Q Now that most of us don't get a shave any more we are not too concerned about that.

A At least with the sharp razor.

Q That is right.

A Senator, may I add a point concerning the contention that the barbers are in a bad way, bad condition. We still hold that barbering is a lucrative trade as of today and it has been right along. One of the exhibits handed to you has an ad in it saying that the barber can make from 225 to $250 a week. Now, I realize that is an exception, but in these other exhibits here which I would like to hand to you, you will see prices running from -- I mean wages running from 100 to $150 a week. Now, to go out and learn

a trade in six months and be able to make that kind of wage I think it speaks pretty well for the trade. We are not on the rocks. The barbers are doing very well.

Q Of course I can only tell you about San Jose. I don't believe in San Jose the barbers are doing too well. Mr. Trusty, we appreciate --

SENATOR COOMBS: One question.

THE CHAIRMAN: Yes.

SENATOR COOMBS: Are these courses open to men and women of all races?

A Yes, they are.

THE CHAIRMAN: Thank you. I believe there is one witness, that is Mr. Harold R. Huntsman representing the Associated Master Barbers.

HAROLD R. HUNTSMAN,

being first duly sworn, testified as follows:

THE WITNESS: Mr. Chairman and members of the Committee, I well realize that I owe you a debt of gratitude for even saying half a dozen words but it is only that because actually we were not on the agenda as previously pointed out. I cannot tell you why. All I know is that as of this morning I carried the deputation from the President of the State Association of the Associated Master Barbers to represent him because through illness in the family he would not be here. That is the only reason that I know

why I am here. My name is Harold R. Huntsman. I am Secretary of Chapter 141 of the State Association of the Chapter of Associated Master Barbers in Los Angeles. At present I do not hold a State office.

I have been through all the offices in the State Association except that of Secretary and also with me is a Vice-President of our State Association and for that reason my report will be very, very brief.

I promised you a while ago if I talked it would be brief and it will be what you might say very unspecific. I don't believe it is necessary to go into length into this thing any further because it has been quite lengthy already.

So I will give you what comes from our State Association, and this was sent down from the head of our State Association, through the sanction of the President of the State Association and Secretary.

It is not a written report to submit, but I can give the substance of it. Our position in this matter could possibly be outlined and explained that we are definitely aware that many of the present day student barbers graduating from the barber schools in California could and should be better trained to do the job of an apprentice when entering into the barber profession as a trainee.

That handicapped and aged persons now being accepted for student training in the barber schools are most apt to find training to have been in vain as it is most difficult

1 to place or to find placement for these persons.

2 That a recent questionnaire -- and this is quite
3 important, the main gist of my report will concern this
4 questionnaire -- this questionnaire was mailed to all of
5 our members throughout the State and many of the members
6 to ascertain the answers to many of our problems in the
7 barber profession and the vast majority of the answers
8 suggested that the present large number of schools are
9 graduating far too many apprentices, that is potential
10 barbers, each year for the industry to absorb.

11 That higher minimum educational requirements is
12 possibly the answer to many of our present problems in that
13 it would probably reduce the number of student applications
14 to enter barber schools and offer better qualifications,
15 that is basic, to those who graduate and enter upon the
16 profession of barbering.

17 That barber schools are primarily a place of student
18 training for individuals prepared to enter into advance
19 training when graduated from such schools, but we are fully
20 aware that many of the present practices in the barber
21 schools do not always contribute to the different phases of
22 proper training of such student barbers.

23 That is the end of the recommendations. All I would
24 like to add, I would like to make it clear for the record
25 that the Associated Master Barbers is a national and state-
26 wide and local organization, and that we represent the

shop owner. We are not concerned with details that do not concern the welfare of the shop owner, the man that has his money invested. Those are the people we represent and again I will say that I don't know why we were not included on the agenda, but if you want to know something about this questionnaire, Mr. Al Swaerinen is with us and he is first Vice-President of our State Association and he can give you the results of the questionnaire as to what happened and what results were found from this questionnaire that was sent throughout the State.

I think it is rather important because it didn't come from just a segment of people present, but it comes from many, many people that are not present.

THE CHAIRMAN: How long would it take?

A I don't believe it would take him very long to give you maybe some facts and figures on the results of the questionnaire. You are very crowded for time and I am deeply indebted to you.

THE CHAIRMAN: If he wants to talk three and a half minutes it is all right.

MR. SWAERINEN: Mr. Chairman, I would be glad to wait until your next meeting, if you wish and I can have more compiled information for you. It is amazing and it will be very important when you get that all analyzed.

THE CHAIRMAN: It might be better to wait until the next meeting which will probably be during September.

MR. SWAERINEN: That is all right.

THE CHAIRMAN: If you wanted to mail it to us.

MR. SWAERINEN: I could have a photostat of the questionnaire mailed. If you will give me a card as to where to mail it.

THE CHAIRMAN: Yes.

MR. SWAERINEN: All I can say is that it's too bad this hearing wasn't held 20 years ago.

THE CHAIRMAN: I wasn't in the Legislature and neither was Senator Stiern 20 years ago.

MR. SWAERINEN: But if you would like, Mr. Chairman, I will have every bit of the information for you in September. I could tell it to you here but not the way I would like to.

THE CHAIRMAN: You keep in touch with us for the next meeting. When you send the copy to Mr. Davis we will have you on the mailing list.

The Committee will stand adjourned until tomorrow morning at which time we will hear testimony on the Industrial Catering Mobile Lunch Service Association on sandwiches.

(Whereupon, at 5:00 o'clock p.m. an adjournment was taken until June 28, 1960.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, CLAIR VAN VLECK, C.S.R., do hereby certify that the foregoing 167 pages comprise a full, true and correct transcript of the proceedings had before the Senate Fact Finding Committee on Public Health and Safety on the 27th day of June, 1960.

Dated this _____ day of _____, 1960.

_____
Clair Van Vleck, C.S.R.